

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE MAJORS

Capt. Kenneth Campbell McGregor from March 23, 1938.
Capt. Roland Birn, vice Maj. Romeyn B. Hough, jr., Air Corps, nominated and confirmed for appointment as temporary lieutenant colonel, Air Corps.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Lester Smith Ostrander, Infantry, with rank from August 1, 1935.

TO ORDNANCE DEPARTMENT

First Lt. William Lewis McCulla, Coast Artillery Corps, with rank from October 1, 1934.

First Lt. Frederick Raleigh Young, Coast Artillery Corps, with rank from August 1, 1935.

PROMOTION IN THE REGULAR ARMY

TO BE MAJOR

Capt. Edwin Forrest Carey, Air Corps (temporary major, Air Corps), from March 21, 1938, subject to examination required by law.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 28 (legislative day of January 5), 1938

PROMOTIONS IN THE NAVY

William F. Halsey, Jr., to be rear admiral.
Albert F. France, Jr., to be commander.
Julian D. Wilson to be commander.
Henry Y. McCown to be commander.
Edward C. Forsyth to be lieutenant commander.
Robert W. Bedillion to be lieutenant commander.
Charles C. Phleger to be lieutenant commander.
Calvin A. Walker, Jr., to be lieutenant.
James E. Stevens to be lieutenant.
John H. Ward, Jr., to be passed assistant surgeon.
Ralph M. McComas to be passed assistant surgeon.
Hobart T. McCrary to be chief machinist.
Michael J. Hurley to be chief machinist.
Samuel B. Neff to be chief machinist.
Stephen Sekeres to be chief machinist.
John J. O'Dea to be chief machinist.
Paul C. Cottrell to be chief machinist.
James H. Miller to be chief machinist.
Robert H. Lynn to be chief machinist.
Samuel C. Herrington to be chief machinist.
Oscar D. Keeling to be chief pharmacist.
George A. Miller to be chief pharmacist.
Oscar Schneider to be passed assistant surgeon.

POSTMASTERS

COLORADO

Roy Staley, Arvada.
Joseph B. Sella, Estes Park.
John F. Redman, Greeley.
Thomas H. Hargreaves, Holyoke.
Nicholas C. Huffaker, Hot Sulphur Springs.
Robert E. McCunniff, La Jara.
Frank Brady, Manassa.
William B. Giacomini, Sterling.
Oren E. Stallings, Yuma.

CONNECTICUT

Paul F. Sherran, Darien.

MARYLAND

Bushrod P. Nash, Brentwood.
Frank Vodopivec, Jr., Kitzmiller.
Ralph Sellman, Mount Airy.
Charles L. Connell, Western Port.
Charles W. Klee, Westminster.

MISSISSIPPI

Harry L. Callicott, Coldwater.
Finley B. Hewes, Gulfport.
Johnnie L. Posey, Philadelphia.
Leroy N. Mixon, Shubuta.
Walter L. Collins, Union.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 28, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we wait these moments to offer Thee our tributes of praise and gratitude. Great is the Lord and greatly to be praised in the mount of His holiness. Teach us the gladness of a life responsible to Thy message through nature. The heavens declare the glory of God and the firmament showeth His handiwork. We pray that we may be enabled to enter into sympathetic relation with the garden, the field, woodland, and the glory of the outstretched heavens. For these, O God, we voice our gratitude. Today they are as new as the book of life; by these we are befriended, soothed, and nourished; Thy mercy never faileth. Unite our people in the common bonds of patriotic duty; may they love our country as never before. Infinite God, from yonder world we hear the sounds of chains and the moaning of Thy captive children. Unled, they are struggling in the wilderness. Thou who art the light of the world, dispel the darkness, break the chains, and set the captives free. May the loving care of Thy providence be round about our President, our Speaker, and the Congress, and give us great peace. In the name of our Savior. Amen.

The Journal of the proceedings of Friday, March 25, 1938, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 520. An act for the relief of the estate of Nick Gruyich;
H. R. 592. An act for the relief of E. A. Caylor;
H. R. 726. An act for the relief of the estate of Dessie Masterson;
H. R. 734. An act for the relief of Joseph Pethersky;
H. R. 842. An act for the relief of Theodore Bedard, Jr.;
H. R. 1233. An act for the relief of employees of the Indian Service for destruction by fire of personally owned property in Government quarters at the Pierre Indian School, South Dakota;
H. R. 1547. An act to amend section 42 of the act of Congress entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended;
H. R. 1691. An act for the relief of Mary A. Maher;
H. R. 2225. An act for the relief of Paul Burrese;
H. R. 2316. An act for the relief of Paul Brinza;
H. R. 2841. An act for the relief of Mr. and Mrs. Virgil O. Powell and William Powell, a minor;
H. R. 3204. An act for the relief of F. E. Booth Co.;
H. R. 3253. An act for the relief of John Fitzgerald and J. R. Harper;
H. R. 3703. An act for the relief of Carl J. Scheier;
H. R. 3706. An act for the relief of Ella Goodwin;
H. R. 3723. An act for the relief of Milton S. Merrill;
H. R. 3757. An act for the relief of Rellie Dodgen and Anah Webb Lavery;
H. R. 3786. An act providing for the allocation of net revenues of the Shoshone power plant of the Shoshone reclamation project in Wyoming;

H. R. 4620. An act for the relief of William R. Herrick;
 H. R. 4138. An act for the relief of George Miller, Jr., a minor;
 H. R. 4201. An act to create a board of inspectors, Bureau of Marine Inspection and Navigation, at Port Arthur, Tex.;
 H. R. 4370. An act for the relief of Tule Finkelstein;
 H. R. 4427. An act for the relief of Merritt Rea;
 H. R. 4493. An act for the relief of Charles N. Robinson;
 H. R. 4921. An act for the relief of Hugh Ray;
 H. R. 5104. An act for the relief of the Acme Wire and Iron Works;
 H. R. 5149. An act for the relief of John M. Fraley;
 H. R. 5195. An act for the relief of G. F. Flanders and J. W. Talbert;
 H. R. 5249. An act for the relief of Lydia M. White;
 H. R. 5431. An act for the relief of Cyrus M. Lasher;
 H. R. 5449. An act for the relief of Harold Jacobson;
 H. R. 5562. An act for the relief of James Scherer, a minor;
 H. R. 5603. An act for the relief of Peter Sietsma;
 H. R. 5608. An act for the relief of Edward F. Cassidy;
 H. R. 5753. An act to authorize advance of the amounts due on delinquent homestead entries on certain Indian reservations;
 H. R. 5793. An act for the relief of Josephine Fontana;
 H. R. 5905. An act for the relief of Doris A. Reese;
 H. R. 5921. An act for the relief of the Board of County Commissioners of St. Johns County, Fla.;
 H. R. 6238. An act for the relief of J. C. Prosser;
 H. R. 6257. An act for the relief of Dr. G. A. Neal;
 H. R. 6397. An act for the relief of John W. Watson;
 H. R. 6471. An act for the relief of Ralph J. Neikirk;
 H. R. 6473. An act for the relief of Paul H. Brinson;
 H. R. 6574. An act for the relief of E. W. Ross;
 H. R. 6647. An act for the relief of B. W. Goodenough and wife, Katherine F. Goodenough, and son, Charles Goodenough;
 H. R. 6648. An act for the relief of J. H. Yelton;
 H. R. 6668. An act for the relief of Robert Landeau, a minor;
 H. R. 6826. An act for the relief of Robert McCoy, a minor;
 H. R. 6844. An act for the relief of Mattie L. Carver;
 H. R. 6889. An act for the relief of Lynn E. Barker;
 H. R. 6981. An act for the relief of Frank M. Gilbert;
 H. R. 6993. An act for the relief of L. H. Dicke;
 H. R. 6999. An act for the relief of Artemisia Grant;
 H. R. 7158. An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended;
 H. R. 7173. An act for the relief of G. D. Thornhill and James T. Rogers;
 H. R. 7245. An act for the relief of J. C. Jones;
 H. R. 7266. An act authorizing the State of Rhode Island, acting by and through the Jamestown Bridge Commission as an agency of the State, to construct, maintain, and operate a toll bridge across the west passage of Narragansett Bay between the towns of Jamestown and North Kingstown;
 H. R. 7277. An act to amend an act entitled "An act to refer the claim of the Menominee Tribe of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States," approved September 3, 1935;
 H. R. 7678. An act for the relief of Carl Dement Weaver and Donald W. Supernois;
 H. R. 7679. An act for the relief of Livvie V. Rowe;
 H. R. 7948. An act providing for the promotion of employees in the customs field service;
 H. R. 8021. An act for the relief of Mrs. George Orr;
 H. R. 8236. An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes;
 H. R. 8409. An act authorizing the State Highway Departments of North Dakota and Minnesota and the Boards of County Commissioners of Traill County, N. Dak., and Norman County, Minn., to construct, maintain, and operate a free highway bridge across the Red River of the North between Caledonia, N. Dak., and Shelly, Minn.;

H. R. 8460. An act to authorize the city of Vancouver, Wash., to construct and maintain a historical memorial on the Vancouver Barracks Military Reservation, Wash.;
 H. R. 8623. An act authorizing the State Highway Departments of North Dakota and Minnesota and the Boards of County Commissioners of Traill County, N. Dak., and Polk County, Minn., to construct, maintain, and operate a free highway bridge across the Red River of the North westerly of Nielsville, Minn.;
 H. R. 8817. An act to amend an act entitled "An act to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico," approved August 2, 1937 (Public, No. 241);
 H. R. 8982. An act to amend Public Law No. 282, Seventy-fifth Congress, relative to the fisheries of Alaska;
 H. R. 9100. An act limiting the duties of the Chief Clerk and Chief Inspector of the Health Department of the District of Columbia;
 H. J. Res. 504. Joint resolution to authorize compacts or agreements between the States bordering on the Great Lakes with respect to fishing in the waters of the Great Lakes, and for other purposes; and
 H. J. Res. 567. Joint resolution to authorize and request the President of the United States to invite the International Seed Testing Association to hold its ninth congress in the United States in 1940 and to invite foreign countries to participate in that congress; and also to provide for participation by the United States in that congress.
 The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:
 H. R. 1948. An act conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claims of certain property owners within the Old Harbor Village area of Boston, Mass.;
 H. R. 2191. An act for the relief of Roberta Carr;
 H. R. 2362. An act for the relief of Henry M. Hyer;
 H. R. 2665. An act for the relief of W. D. Presley;
 H. R. 3915. An act conferring jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of the Tidewater Construction Corporation;
 H. R. 5338. An act for the relief of George Shade and Vava Shade;
 H. R. 5731. An act for the relief of Ruth Rule, a minor;
 H. R. 5737. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of George W. Hall against the United States;
 H. R. 6370. An act for the relief of John Calareso, a minor;
 H. R. 6618. An act for the relief of Miriam Grant;
 H. R. 8524. An act authorizing the completion of the existing project for the protection of the sea wall at Galveston Harbor, Tex.; and
 H. J. Res. 150. Joint resolution to permit a compact or agreement between the States of Idaho and Wyoming respecting the disposition and apportionment of the waters of the Snake River and its tributaries, and for other purposes.
 The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:
 S. 183. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;
 S. 531. An act to provide compensation for disability or death resulting from injury to employees of contractors on public buildings and public works;
 S. 865. An act for the relief of Alceo Govoni;
 S. 866. An act for the relief of the estate of James D. McEachern;
 S. 1220. An act for the relief of Josephine Russell;
 S. 1340. An act for the relief of A. D. Weikert;

- S. 1701. An act for the relief of E. C. Beaver, who suffered loss on account of the Lawton (Okla.) fire, 1917;
- S. 1788. An act for the relief of William J. Schwarze;
- S. 1878. An act for the relief of Mary Way;
- S. 1987. An act for the relief of George J. Leatherwood;
- S. 2009. An act to authorize the payment of certain obligations, contracted by the Perry's Victory Memorial Commission;
- S. 2023. An act for the relief of Charles A. Rife;
- S. 2051. An act for the relief of John F. Fitzgerald;
- S. 2382. An act to amend the Judicial Code in respect to claims against the United States for just compensation;
- S. 2413. An act for the relief of the Boston City Hospital, Dr. Donald Munro, and others;
- S. 2505. An act for the relief of James J. Hogan;
- S. 2532. An act for the relief of Mrs. G. R. Syth;
- S. 2553. An act for the relief of E. E. Tillett;
- S. 2566. An act for the relief of the Blue Rapids Gravel Co., of Blue Rapids, Kans.;
- S. 2576. An act providing for the adjustment on the retired list of the Coast Guard of William Edward Reynolds;
- S. 2643. An act for the relief of Mr. and Mrs. James Crawford;
- S. 2655. An act for the relief of Lt. T. L. Bartlett;
- S. 2709. An act for the relief of Mr. and Mrs. Joseph Konderish;
- S. 2739. An act for the relief of Virgil D. Alden and others;
- S. 2742. An act for the relief of Mrs. C. Doorn;
- S. 2770. An act for the relief of Elizabeth F. Quinn and Sarah Ferguson;
- S. 2798. An act for the relief of Edith Jennings and the legal guardian of Patsy Ruth Jennings;
- S. 2799. An act for the relief of George Marsh;
- S. 2802. An act for the relief of the legal guardian of Carl Orr, a minor;
- S. 2827. An act to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.;
- S. 2870. An act for the relief of Margaret Turney and Bertha Turney LaMotte, heirs of Theresa Turney;
- S. 2876. An act for the relief of Mark H. Doty;
- S. 2883. An act for the relief of George H. Lowe, Jr.;
- S. 2890. An act for the relief of the parents of Clarence Daniel;
- S. 2895. An act for the relief of Leona Draeger;
- S. 2900. An act to establish a fund for the insurance of mortgages securing loans for the construction or reconditioning of domestic floating property used for commercial purposes;
- S. 2920. An act for the relief of J. Harry Walker;
- S. 2956. An act for the relief of Orville D. Davis;
- S. 2966. An act authorizing the Comptroller General to settle and adjust the claim of H. W. Adelberger, Jr.;
- S. 2979. An act for the relief of Glenn Morrow;
- S. 2985. An act for the relief of John F. Fahey, United States Marine Corps, retired;
- S. 2986. An act to amend section 6 of the act approved May 27, 1936 (49 U. S. Stat. L. 1380);
- S. 3002. An act to authorize the Secretary of the Treasury to make settlement with the holders of certain unpaid notes and warrants of the Verde River Irrigation and Power District;
- S. 3052. An act to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes;
- S. 3056. An act for the relief of Dorothy Anne Walker, a minor;
- S. 3057. An act for the relief of John Fanning;
- S. 3063. An act for the relief of Maria Bartolo;
- S. 3064. An act for the relief of George Henry Levins;
- S. 3079. An act for the relief of George W. Breckenridge;
- S. 3081. An act authorizing the Secretary of Commerce to grant to the city of Fargo, N. Dak., an easement over a certain tract of land owned by the United States;
- S. 3095. An act authorizing the Secretary of War to grant to the Coos County Court of Coquille, Oreg., and the State of Oregon an easement with respect to certain lands for highway purposes;
- S. 3096. An act to amend section 35 of the Criminal Code, as amended (U. S. C., title 18, sec. 82), relating to purloining, stealing, or injuring property of the United States;
- S. 3102. An act for the relief of the estate of Raquel Franco;
- S. 3103. An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama;
- S. 3111. An act for the relief of the estate of Lillie Liston and Mr. and Mrs. B. W. Trent;
- S. 3126. An act authorizing the Secretary of War to convey a certain parcel of land in Tillamook County, Oreg., to the State of Oregon to be used for highway purposes;
- S. 3130. An act for the relief of W. O. West;
- S. 3144. An act for the relief of Harry Hume Ainsworth;
- S. 3147. An act for the relief of Mr. and Mrs. S. A. Felsenthal, Mr. and Mrs. Sam Friedlander, and Mrs. Gus Levy;
- S. 3149. An act authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Delaware River between points in the city of Port Jervis, Orange County, N. Y., and the borough of Matamoras, Pike County, Pa.;
- S. 3150. An act for the relief of Ernest S. Frazier;
- S. 3160. An act to provide for the exchange of land in the Territory of Alaska;
- S. 3166. An act to amend section 2139 of the Revised Statutes, as amended;
- S. 3189. An act for the relief of Earle Embrey;
- S. 3207. An act authorizing the Comptroller General to settle and adjust the joint claim of the Federal Land Bank of Berkeley, Calif., and A. E. Colby;
- S. 3213. An act to amend the act entitled "An act authorizing the Oregon-Washington Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oreg." approved June 13, 1934, as amended;
- S. 3215. An act for the relief of Griffith L. Owens;
- S. 3220. An act to authorize the Secretary of the Treasury to transfer the title and all other interests in the old tower clock from the Escambia County Courthouse Building, acquired by the Government by deed, to the Pensacola Historical Society of Pensacola, Escambia County, Fla.;
- S. 3227. An act for the relief of Mr. and Mrs. Chester A. Smith;
- S. 3242. An act to aid in providing a permanent mooring for the battleship *Oregon*;
- S. 3263. An act for the relief of the State of Georgia;
- S. 3272. An act to clarify the status of pay and allowances under the provisions of the act of September 3, 1919;
- S. 3300. An act for the relief of Pearl Bundy;
- S. 3304. An act to promote air commerce by providing for the closing of Military Road;
- S. 3330. An act to amend section 3 of the act of May 27, 1936 (49 Stat. 1381), entitled "An act to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat inspection laws, and for other purposes";
- S. 3351. An act to amend the act of March 4, 1915, as amended, the act of June 23, 1936, section 4551 of the Revised Statutes of the United States, as amended, and for other purposes;
- S. 3352. An act for the relief of W. Cooke;
- S. 3365. An act for the relief of Joseph D. Schoolfield;
- S. 3400. An act to extend from June 16, 1938, to June 16, 1939, the period within which loans made prior to June 16, 1933, to executive officers of member banks of the Federal Reserve System may be renewed or extended;
- S. 3410. An act for the relief of Miles A. Barclay;
- S. 3459. An act to authorize the Secretary of War to acquire by donation land at or near Fort Missoula, Mont., for target range, military, or other public purposes;

S. 3464. An act to extend the Metlakatla Indians' Citizenship Act;

S. 3512. An act for the relief of Elizabeth Cory;

S. 3532. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.;

S. 3543. An act authorizing the Comptroller General of the United States to settle and adjust the claim of Earle Lindsey;

S. 3573. An act for the relief of William J. Pitochelli;

S. 3584. An act for the relief of G. E. Maxwell;

S. 3590. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act of June 4, 1920, so as to make available certain other officers for General Staff duty;

S. 3629. An act to authorize attendance of Philippine Army personnel at service schools of the United States Army;

S. J. Res. 201. Joint resolution for the relief of certain persons conducting farming operations whose crops were destroyed by hailstorms;

S. J. Res. 247. Joint resolution authorizing William Bowie, captain (retired), United States Coast and Geodetic Survey, Department of Commerce, to accept and wear decoration of the Order of Orange Nassau, bestowed by the Government of the Netherlands;

S. J. Res. 253. Joint resolution extending for 2 years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1940, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbitrator;

S. J. Res. 256. Joint resolution to amend the joint resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs," approved April 6, 1937;

S. J. Res. 269. Joint resolution to authorize the Postmaster General to withhold the awarding of contracts for a period of 60 days; and

S. J. Res. 277. Joint resolution creating a special joint congressional committee to make an investigation of the Tennessee Valley Authority.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1945. An act to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Federal Indian irrigation projects wholly or partly Indian, and to lease the lands in such reserves for agricultural, grazing, and other purposes.

The message also announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9915. An act to amend the Agricultural Adjustment Act of 1938, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House thereon, and appoints Mr. SMITH, Mr. BANKHEAD, and Mr. FRAZIER to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments: The Department of Agriculture, Civil Service Commission, the Panama Canal, Home Owners' Loan Corporation.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on March 28, 1938, the President approved and signed a bill and a joint resolution of the House of the following titles:

H. R. 8947. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1939, and for other purposes; and

H. J. Res. 468. Joint resolution to dedicate the month of April in each year to a voluntary national program for the control of cancer.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

THE PRIVATE CONTROL OF PUBLIC CURRENCY—THE INVENTION AND USE OF MONEY

Mr. GRAY of Indiana. Mr. Speaker and fellow Members of Congress, I have planned and prepared this series of radio addresses to reach you in your homes for more deliberate consideration of what I believe is the most vital problem that has come before us, this Congress, or which will come before us, this Congress.

We are again in the midst of still another economic depression. The world panic brought upon the nations following the great World War has left the people writhing in want, suffering, and distress, and to give up their liberties and forms of government for a mess of pottage of temporary relief.

If recovery from this and the 1929 depression is allowed to be prolonged or further delayed, we will be threatened in this country with the same calamities and disasters. If the people are left suffering and in distress, with nothing to lose and everything to gain, we cannot predict the fate of the future.

From my study of current history and the economic conditions of the times I am impressed with the imperative necessity of the immediate consideration of some measure for relief and to remove the cause, and upon which prompt action can be taken and carried into effect before adjournment.

This reform in the control of money and industry is certain to come sooner or later. The only uncertainty is the time of its coming—is whether in time to save the people from insolvency, bankruptcy, and despair, or will it be postponed further and delayed and left to undermine our institutions of peace and civil life.

This is no time for sparring among politicians in Congress or elsewhere in the country, in dealing with this and the 1929 panics, for political hedging for advantages. This is a time for calm, deliberate consideration of the cause of depressions and the remedy, promptly without hesitation or delay.

First, the problem, the major problem, is the problem of the regulation of money, of the private or public control of the currency, the control by private interests or the Government, and I wish first to call your attention to some of the vital and important uses of money in the conduct of our industrial affairs.

It was early in the dawn of human history when man first awoke, conscious of his being, that he was made to realize the advantages of working together with his fellow man. And Mother Necessity, ever mindful and watchful of the interests and welfare of her children, invented money to work out their destiny together.

And it was the progressive impulse of the resourceful human mind that developed the crude money materials from commodities in barter and exchange, into tokens and symbols of value, making goods and the services of men conveniently convertible into other goods and services and facilitating their transfer for exchange.

It was the invention and use of money that made possible our civilization and paved the way for human progress, and the flickering lights, flaring up along the pathway of men groping through the shadows of the early morning twilight of human history, have marked the periods of the use of money.

It was the lights of money fading out with the failure and disappearing supply of gold and silver, then the only money materials, that left the people groping in the dark ages until the discovery of gold and silver in the New World, and the invention of paper money as a medium of exchange, lifted the shadows of that long night, for the returning footsteps of human progress.

Money is as vital to industry and civilization as light, air, or water to the body. A partial failure or interference of the supply of light, air, or water, would impair and disorder the body, and a part failure or interference with the free flow of the money supply will impair, slow down, and disorganize the conduct of industry and the forms of civilization.

With a total failure of the supply of light, air, or water, the body would dwarf and perish. And so, with a total failure of the supply of money, civilization and industry would fall, crumble, and decay, and men would be driven back to the caves to clothe themselves with the skins of animals and to live again their crude and primitive lives.

Money is the basis of all social relations, of the institutions of peace and civil life, and all the charities that soothe and heal and bless, and all the orders of civilization itself would languish, fail, dwarf, and disappear if money in all its forms for exchange was destroyed, withheld, or withdrawn from use.

Money is the one invention of man which lifted him above mere animal existence, and made his progress and advancement possible, and opened the way for him to progress further in his march to the higher planes and goals of our present exalted civilization.

Looking back, down, and through the fading shadows of the morning twilight of human history, we see men moving in the flickering lights of the crude forms of primitive money, coming up from their benighted state to the higher planes of human life gradually with the development of money.

Industry is men working together, producing as experts together, performing services as specialists together, and exchanging their services or what they produce for other services and what others produce, and all together as specialists and experts multiplying production and efficiency in service for the greater well-being of all.

Industry is men working together, moving along in harmonious undertaking, each producing for all or some part, and each taking or sharing his part, and which marks the difference in the social state of civilization and human progress, from squalid life and bare existence.

Money alone made industry possible, made possible for men to work together. Industry is built upon and founded upon the use of money for exchange of services and commodities. No industry could exist or progress without money. Without money, all industry would stop, stand still. Men would be compelled to separate and work alone and go back to the caves from whence they came.

A want, scarcity, or partial failure of money, or an insufficient volume of supply of money for the exchange of products and services for men will stagnate and slow down and disorganize industry, which we call a panic or an industrial depression, followed with unemployment and failure of consumption and with want and suffering in the midst of plenty and abundance.

But a total failure of the supply of money would completely disorganize and destroy all industry, would make it impossible for men to work together, would close down every factory, mill, and workshop, would drive men out of their homes to go back and peer out from the caves of the earth, wearing skins of animals for clothing.

Before the invention of money men were compelled to produce and provide for all their own needs, each for himself. They could not specialize as experts in any one line of serv-

ice or production and obtain their own needs from other men nor supply other men with their services or products.

They were compelled to produce each and every article for themselves which they needed and required to use and to perform for themselves every service necessary for them to live. They were forced to be jacks-of-all-trades and could be master of none. They could not specialize to become skilled or proficient in any one art, trade, line, or calling.

In this way they could make little or no progress or advancement. They could only provide enough to exist. Compelled to divide their time and labor in producing many articles or performing different services, they could not develop skill in any production nor become proficient in any one line of service.

Thus, each compelled to provide every article and service, men could live little better than some of the animals which store up their food in season and find caves for their shelter from the elements. With men compelled to work separately and provide for themselves every necessity and service with his own hands and labor human progress would have been impossible or long delayed.

There could be no skilled carpenters or masons to build the houses for comfort and shelter; there could be no skilled weavers of cloth to cover and protect the body from the elements. There could be no men to devote themselves to medicine and surgery to remedy bodily ills, disorders, and disease, nor to develop the uplifting sciences and the arts.

There could be no men to specialize as dentists to care for the teeth; there could be no men to prepare themselves as educators to impart knowledge of the world and the forces around and about them; there could be no men to study as astronomers to take their bearings in the realms of space.

Men could not have worked together, each specializing as an expert to become skilled and proficient in any certain line, trade, calling, or endeavor to enable them to provide more and better of all the comforts and conveniences of life. They could not have performed services and produced together. They could not have worked together in a system of industry.

Men would have gone on competing with the animals about them, overcoming them and wearing their skins, overcoming them and driving them out of the caves and making their dens their homes; overcoming them and living off of their flesh, or taking the natural foods away from them, much as one superior or stronger animal overcomes another.

Men could not work together as specialists and experts to become skilled and proficient in any one certain line, trade, calling, or endeavor to enable them to provide more and better of all the necessities, comforts, and conveniences of life. They could not provide skilled services or superior products, they could not work together in a system of industry.

There could have been no system of free, competitive industry under which men as individuals could have developed from their own initiative, could progress as free moral agents, could be architects of their own fortunes, could live their own lives and make their own world around them.

It was alone the invention and use of money as a means or medium of exchange which enabled men to exchange their services and what they produced for other services and what others produced, and thereby enabling each to avail himself of both the use of his own services, and the services and products of other men as well.

It was the invention of money alone that brought about the change of man, that made it possible for men to specialize as skilled experts in different lines, trades, and callings, enabling men to provide more and better of all the necessities, comforts, and conveniences of life.

It was alone the invention of money that enabled men to work together under a specialized working system, with men devoting themselves to one line of work to become proficient in production or in rendering services for themselves and their fellow men and lifting all to a higher plane of life.

All industry was developed with the use of money. It has suffered impairment and stagnation with the failure or inter-

ference with money. Industry has followed up with prosperity, with the normal increase and stabilization of money, and it has followed down to the depths of impairment and stagnation with the failure or perverted use of money.

There are some other phases of the uses served by money involved in the conduct of our industrial system, which has become a part of our social life and which can be better understood from a history of the growth of money, the changes in its development, and to which I may wish to refer later, and for this purpose I wish to explain here.

Money is not a deliberate creation. Money is a growth and development with time, coming up in progress for long centuries, changing from its early created forms as the mode of living changed; developing gradually, one step at a time, until today it has assumed the use and character as an exact science for study and application.

The use of money was developed from the exchange of goods and commodities, and from the use of certain goods and commodities more convenient for exchange than others, such as gold and silver and the precious metals. But cattle, sheep, and horses have been used, and early in this country hoop holes and tobacco were used.

If a planter wanted to exchange his hogs for certain goods owned by a man who did not want hogs but wanted to exchange his goods for cows, then the hog raiser would first exchange for cows and then exchange the cows for the goods he wanted to use.

Thus it was gradually found that there were certain goods wanted by everybody, as in early times everybody wanted cows. So it was learned to exchange first for cows and then the cows could be exchanged with everybody and anybody for any goods that others produced for general use.

Man was early attracted by the glare and glitter of gold, silver, and the precious metals, and came to adore and worship them, and gods and idols were made from them. And learning that everybody wanted gold and silver and their desirability and small bulk for convenience, led them to be used first for general exchange knowing that they could be exchanged for other articles.

But all these original money materials have been finally abandoned for use and paper money substituted instead. Gold, the last of the money materials containing intrinsic value within itself has now been abandoned by all the nations, either for use as money or for a standard, and it is only used as other goods and commodities to settle balances of trade between nations.

Before there were any stable governments to guarantee the value of money, money was required to guarantee itself by containing value within itself. But since the establishment of stable governments, money as value within itself is not required and paper money has served the use better.

The use of money has developed many uses other than the need for exchange, including a measure of value, a storage for hoarding and holding value, and it has made possible and practical for men to specialize in a multiplicity of callings, but none of which I can dwell upon here.

The value of money within itself, such as gold, silver, and the precious metals, which was once necessary to make money pass, has become the curse and evil of money, causing such money to be hoarded as savings and taken out of use and circulation, and creating a scarcity of money for use.

But the intrinsic value of money, money with value within itself, which was necessary in ancient times to make an article or commodity pass as money, has in modern times, under stable governments, not only made intrinsic value within itself unnecessary but destroys its use as money.

It was the intrinsic value of gold before there were stable governments, as well as its small bulk and convenience, that made gold desirable for money. But today, in modern times, it has been because of this value within itself that has destroyed its use for money.

The intrinsic value of gold, or the value of gold within itself, has made it subject to hoarding, subject to use for storing or holding value that has caused its abandonment for money.

It could serve both the use for storage and at the same time serve the use and pass as money.

In closing this first address I want to leave with you to hold in mind that industry is men working together; that it was the invention of money that made industry possible, possible for men to exchange their services and what they produced for others' services and what others produced.

And every interference or interruption of the free use of money in industry will interfere and interrupt the progress of industry; that a part failure of the supply of money will bring a like failure of industry; and that a total want or failure of money will compel men to separate and destroy all industry.

EXTENSION OF REMARKS

Mr. DRIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the *Record* and include therein a short resolution from the legislature of my State of Arkansas.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the *Record* on parking meters and insert certain letters I have received on that subject.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1939

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8837) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, and for other purposes, with Senate amendments, insist on the disagreement of the House to the Senate amendments, and agree to the further conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WOODRUM, JOHNSON of Oklahoma, FITZPATRICK, JOHNSON of West Virginia, HOUSTON, WIGGLESWORTH, and DIRKSEN.

EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to extend my remarks in the *Record* by including a letter I wrote to Secretary Hull.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. STACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STACK. Mr. Speaker, my office has been flooded with telegrams and letters against the reorganization bill which I understand is coming up in the Senate today.

With the majority of the people in my district, I am opposed to the reorganization bill and to political dictators in Philadelphia, Harrisburg, Washington, and abroad. [Applause.]

I left Ireland 35 years ago because my people then had no voice in their government. If this bill passes, the Congress of the United States will be a glorified Charlie McCarthy [laughter], which I am sure the people of my district and the United States do not want. I, personally, do not want any strings attached to me. [Applause.]

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, our President seems bound to embroil us in European entanglements. He now is asking the people of the United States to make a haven here for those who are undesirable to European dictators. He bases his appeal on sympathy and charity.

He expects Americans to finance this movement, which will bring into our midst this great group made up of many races, creeds, and nationalities, and from many countries. They will share jobs with our 15,000,000 jobless and share food with our 20,000,000 on relief.

He has committed the people of the United States to this program without consulting them or their representatives in Congress. When he gave out to the nations of Europe the startling invitation to participate with him in removing from Europe these thousands of political refugees he launched on a program unprecedented in our history.

Naturally European nations shout their approval of a program whereby the United States assumes Europe's most pressing political and economic burden.

This should not be done. We cannot afford it. It is not fair to our people. Neither to those who have nor to those millions who have not and who themselves need sympathy and charity.

To do what he proposes he must violate the immigration policies under which the Nation is supposed to have been operating for the last 7 or 8 years. He says he proposes not to go beyond fixed quotas. For years the policy has been to stay within 10 percent of quotas. If he gives Mme. Perkins a free hand she will lay down the bars and thousands will enter contrary to the spirit of the law. She can do this by a liberal interpretation and exercise of the provision of the law admitting visitors and students and businessmen. Likewise she can remove restrictions as to liability to become a public charge and remove other restrictions. We are treading on dangerous ground when we deviate from our well-settled course which the people have approved.

Shall all refugees be permitted to come? If not, why not? If only certain classes, then who? Shall the most distressed, such as the wounded and maimed Spanish or the suffering Chinese come? No; who then? Shall the epileptic; the sick; the incompetent; the lame and the blind, and all those who are least able to care for themselves against the cruelties of the dictatorships? No; these cannot be reached under the law. The chances are that many from all these groups will come, but not lawfully. Then who shall come? Those who have financial and political influence and those who will be physically fit. They will be able to take the places of our men and women in commercial and industrial activities and probably at low wages if necessary.

When this great crowd of refugees is brought here it must be remembered that they come for permanent residence. We will never be able to deport them. Why? For the simple reason that there will be no place to which they can be deported. Nobody will take them back.

Neither our financial nor our economic structure, strained to the limit as it is, can stand this additional strain. The man looking for a job should not be put into further competition with this additional group. The family on relief should not be expected to divide its already meager allotment with another family, especially one from a foreign country.

The President has gone on a visionary excursion into the warm fields of altruism. He forgets the cold winds of poverty and penury that are sweeping over the "one-third" of our people who are ill-clothed, ill-housed, and ill-fed.

With actual death-dealing red warfare being carried on between two great nations off to the west of us, and with rumors of wars coming to us every day from Europe—a veritable powder keg—why should we project ourselves into this danger?

Without regard to party affiliation, without regard to sectionalism, but with full regard to the safety and best interests of our country, all of us must agree that we are confronted with great social, economic, and financial problems that have

to date defied solution. Our own people are despairing. Our own people are suffering. Why add to our troubles and threaten our very existence?

The present administration, under persistent pressure from certain groups outside of the Government and from Mme. Perkins and her group within the Government, has yielded ground in the settled policy of restrictive immigration. This opportunity has come to them because of the failure of Congress to do its full duty. At the present time, under the present quota laws, each European nation is allowed a set quota. The Asiatic and African countries have no quotas. They are generally inadmissible. The countries of the Western Hemisphere have no quotas. General laws as to health and criminal records are observed as to immigrants from Western Hemisphere countries. The quotas of European countries are as follows:

Visas issued against annual quota

Country	Annual quota	Preference visas issued				Nonpreference visas issued	Total quota visas issued	Percent of annual quota issued
		Relatives of American citizens	Farmers	Relatives of aliens	Total			
Afghanistan	100							
Albania	100	27		64	91	9	100	100
Andorra	100							
Arabian Peninsula	100					1	1	1
Australia	100	4		1	5	83	88	88
Austria	1,413	31		46	77	347	424	30
Belgium	1,304	20		8	28	201	229	17
Bhutan	100							
Bulgaria	100	6		7	13	59	72	72
Cameroon, British	100							
Cameroon, French	100							
China	100					54	54	54
Czechoslovakia	2,874	216		233	449	1,217	1,666	58
Danzig, Free City of	100	5		8	13	38	51	51
Denmark	1,181	15		5	20	225	245	20
Egypt	100			4	4	23	27	27
Estonia	116	4		4	8	27	35	30
Ethiopia	100							
Finland	569	18		16	34	206	240	42
France	3,086	56	19	52	127	506	633	20
Germany	25,957	384		709	1,093	11,439	12,532	48
Great Britain and Northern Ireland	65,721	236	4	313	553	2,240	2,793	4
Greece	307	89		54	143	164	307	100
Hungary	869	114	3	70	187	584	771	90
Iceland	100					3	3	3
India	100	4			4	27	31	31
Iran	100	1			1	10	11	11
Iraq	100	1		10	11	13	24	24
Irish Free State	17,853	27		28	55	483	538	3
Italy	5,802	1,080		952	2,032	919	2,951	50
Japan	100			1	1	12	13	13
Latvia	236	16		10	26	107	133	56
Liberia	100					1	1	1
Liechtenstein	100					1	1	1
Lithuania	386	83		12	95	168	263	68
Luxemburg	100	3			3	9	12	12
Monaco	100							
Morocco	100	3		2	5	16	21	21
Muscat	100							
Nauru	100							
Nepal	100							
Netherlands	3,153	26	35	29	90	304	394	12
New Guinea	100							
New Zealand	100	3			3	28	31	31
Norway	2,377	36		39	75	263	338	14
Palestine	100	7		7	14	57	71	71
Philippine Islands	50			27	27	23	50	100
Poland	6,524	492		197	689	1,878	2,567	39
Portugal	440	27		119	146	97	243	55
Ruanda and Urundi	100							
Rumania	377	121		41	162	215	377	100
Samoa, Western	100							
San Marino	100	1			3	22	25	25
Saudi Arabia	100			2				
Siam	100							
South Africa, Union of	100	2			2	32	34	34
South-West Africa	100					1	1	1
Soviet Union	2,712	126		31	157	488	645	24
Spain	252	37		42	79	172	251	99
Sweden	3,314	26		30	56	290	346	10
Switzerland	1,707	25		12	37	317	354	20
Syria	123	36		21	57	66	123	100
Tanganyika	100					1	1	1
Togoland (British)	100							
Togoland (French)	100							
Turkey	226	111		24	135	91	226	100
Yap	100							
Yugoslavia	845	83		78	161	390	551	65
Total	153,774	3,602	61	3,308	6,971	23,927	30,898	20

When the depression of 1929 came down upon us and the economic conditions being very bad in all the countries of the world, it became evident that we were bound to further restrict immigration. To this end, a bill introduced by myself was reported by the Committee on Immigration. It provided a reduction of 90 percent of all European quotas and set a quota on all the countries of the Western Hemisphere. That bill passed the House by an overwhelming majority. It failed to receive consideration in the Senate merely because of a filibuster.

Because of this failure President Hoover requested the Department of State to enforce the law more rigidly, especially the clause prohibiting entry if there was any probability of the applicant becoming a public charge. This additional rigidity of enforcement resulted in a general reduction of 90 percent.

When President Roosevelt came to the Presidency he continued this policy. It was relaxed in many instances over the protest of many Congressmen. From January 1, 1937, it has been quietly relaxed, with the result that immigration in 1937 showed nearly a hundred percent increase from some countries. This increase was very much larger from Germany and Poland than from any other countries. The total increase of aliens entering in 1937 over 1936 was 22 percent.

Since January 1937, there has been a great relaxation in the restrictive policy by the administration. This is not common knowledge, as the administration has without doubt shunned giving publicity to its activities in this respect. This relaxation has been noticeable in many respects. The administration has repeatedly attempted to pass the Kerr-Coolidge bill, and later the Dies bill. Both of these bills sought to confer much greater discretion upon the Secretary of Labor. She was anxious to have the power reposed in her to practically determine who should be deported and who should not be deported. She was much more interested in the power to determine who should not be deported than she was in the power to determine who should be deported. These bills have never passed Congress. The attitude of the Secretary of Labor no doubt has had a great deal of influence on the President in that he too has reflected her sentiments and the sentiments of some of those who live in large centers of population where the percentage of foreign born is high.

The tendency of the Secretary of Labor to want to let down the bars and admit aliens more freely is reflected in the large increase in immigrants of all classes in the past 5 years. Especially is this true in 1937 and 1938. For in January 1937, a new policy was quietly put into effect. Before that time the "liable to become a public charge" clause was enforced on the theory that because of the depression and unemployment in our country any alien without separate means of support would be liable to become a public charge if he had to depend on his work or did not have a relative here legally able to support him. This interpretation was changed on January 1, 1937. This change was to make the admissions much easier.

Immigration from Great Britain, Ireland, Scandinavia, and France has changed but little, while the immigration from Germany and Poland has increased very greatly. It will be near the quota limit this year.

There is a fertile field for violation of the immigration laws in the provision of the law which permits the unlimited admission outside the quotas of visitors, tourists, businessmen, students, and so forth. In 1937 there were 92,613 admitted in this category. This number, plus the number who came in illegally makes quite an army. There is no limit to which this class can be increased. Many of these lose themselves in the population and are never deported. And again there are many who marry purposely to complicate and defeat deportation.

From all this it can easily be seen that there is room for the suspicion that some authorities in the Government would

welcome the admission of these additional thousands that the President proposes to admit, and would welcome them for reasons other than charity or sympathy. There is no doubt that many more will be admitted under this policy than the average person thinks. When the President says that admissions will all be within the quotas, he is wittingly or unwittingly giving the impression that the number will not be increased beyond the number which has been the practical quota from 1929 to 1937. As a matter of fact, an increase from the practical quota to the actual legal quota will in some cases be an increase of 900 percent.

When the President starts on this new policy he will be starting on an unprecedented program. Nothing like it was ever thought of in the whole history of the Nation. During the Civil War the Government encouraged immigration, but not in the proposed manner. When we finance the importation of thousands of persons into our midst that are practically drawn from foreign lands, we will in effect demoralize our whole immigration system. Our country has been the model of all other countries in immigration matters; we have been pioneers; we founded our selective system fairly and scientifically. Millions of our people have gone through our immigration and naturalization processes proudly and are proud of their citizenship. They consider it a prize possession. Many others would like to have citizenship who cannot get it for some reason or other, yet would make good citizens. All of these had probable deportation hanging over their heads during their probationary period. In a way they served their apprenticeship. They now are full-fledged citizens. They feel that they have in a way earned their citizenship. How will they feel when they see these thousands practically paid to become citizens? In fact these new thousands need not bother with securing citizenship. They need never fear deportation. The agitator can bring his soap box with him and perch himself on it the minute he lands in New York. What will it better the situation by saying that these new aliens must be vouched for financially? To whom will they be vouched for? And after they are here what can we do about it if they seek the jobs of our own people? If they break all our laws we cannot deport them. If they sit down and refuse to work we can do nothing less than feed them, as would be our Christian duty. I, for one, shall maintain that we treat them decently as human beings should be treated if they are brought here.

In view of the terrible condition in which our country finds itself now, it seems to me that we are taking a terribly dangerous course in proposing to bring these thousands upon thousands to our shores. In the name of humanity, what will we say to the fifteen million looking for work? What will we say to the mother who wrote me yesterday, when she said that her husband was ill and that her son, able to work, could find none, and that they were allowed \$1.80 per week for herself and her sick husband and their eight children?

If we could wipe out all misery and anguish in the world by carrying out this plan there would be reason for it. If we are to continue to give away our markets as we have been doing, and to give away our national heritage as we have been doing; if we are to continue mounting deficits and changing methods and usurpation of authority, and are ready to throw our national future into common communism with all the world then this is a step in that direction.

What will be the psychological effect on the dictator of Soviet Russia if we open our doors to those whom he knows are in bitter opposition to him and his plans? Likewise what will be the effect on the dictators of Germany and Italy? It would be much better for us to vote a huge appropriation to takes these people to some uncongested section of the world and thereby help them to help themselves. Their presence in our country is sure to arouse enmity and suspicion that may prove very disastrous to us. Why not suggest to all these European countries, for practically all of them owe us huge sums, that we will credit them the amount

necessary to transport these people to some country with plenty of frontiers which need to be developed?

Mr. Speaker, we have had enough experience with these European countries to know that we will get the worst of this deal. We always get the worst of it even when we are trying to save ourselves from them. In this new proposal we are attempting to save them from themselves. When we virtually throw ourselves at them we are sure to come out of it as we would expect a lamb to come out if it were thrown to the wolves. Washington admonished us to beware of foreign entangling alliances. More, we should beware of forcing ourselves into such alliances. Especially is this true at this time when all signs indicate that it is only a question of a short time until Europe will be engaged in another war. If there is any sentiment in America that is universal, it is the sentiment against our getting into another world war.

Mr. Speaker, God forbid that I have anything but the best interest of my country at heart when I present these arguments. I hope that we can chart a course free from the reefs of trouble. We are out of trouble. Why not stay out? [Applause.]

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Government loans to business and to include correspondence between myself and constituents, and certain excerpts.

The SPEAKER. Is there objection?

There was no objection.

REORGANIZATION BILL

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I make this request in order to say that I have received as high as 1,000 letters from my district in one day protesting against the reorganization bill. The people of my district are opposed to it, and I am answering those letters as rapidly as I can. The people of this country fear a dictatorship, a fear that is well founded.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article on the proposed dam at Gilbertsville, Ky.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a very brief editorial from one of the newspapers of my district upon the excellent work done by the W. P. A. in connection with the recent flood in California.

The SPEAKER. Is there objection?

There was no objection.

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to refer to laws pertaining to Puerto Rico.

The SPEAKER. Is there objection?

There was no objection.

REORGANIZATION BILL

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I have noticed several articles in the newspapers this morning about Congress receiving telegrams protesting the reorganization under his plan, and have heard much about Members of Congress receiving many

letters in reference to the reorganization bill giving more power to the President. I have not received very many in opposition, and the reason I believe that I have not received them is because the people of my district know that I am not for any reorganization bill that is going to place the power of the Congress in the hands of the President of the United States. We have already been too liberal in this respect. I think it is constitutionally wrong, and I think that every Member of Congress and the people of this Nation will regret the day when they place more power in the hands of the President of the United States. What we should do is to cancel the power already given him. Let us obey our oath and let Congress function under the Constitution. Preserve our form of government and do it now.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, on March 2 I obtained unanimous consent to include a certain historical document in an extension of my remarks in the RECORD written nearly 100 years ago, which never has been before printed. Since that time the distinguished gentleman who sent it to me, Mr. T. C. Thompson, has died. I ask that permission again, as of this date, so that I may place in the RECORD some reference to this distinguished citizen of Tennessee.

The SPEAKER. Is there objection?

There was no objection.

RECIPROCAL-TRADE AGREEMENTS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and to include as a part of my remarks a letter which I received from the President of the United States enclosing a copy of a letter which Mr. Secretary Hull wrote to 15 members of the New England delegation.

The SPEAKER. Is there objection?

There was no objection.

THE WHITE HOUSE,
Washington, March 21, 1938.

The Honorable EDITH NOURSE ROGERS,
House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: I refer to the letter of March 3, 1938, signed by you and 14 other Republican Members of Congress from the New England States, urging that the negotiation of any further reciprocal-trade agreements be deferred until costs of production are ascertained in the countries with which negotiations are contemplated. I understand that an identical letter was sent to the Secretary of State.

As the Secretary of State has discussed fully the points raised in your letter, in his answer which was made public on March 14, copy of which is enclosed, there appears to be no necessity for further comment by me.

I shall appreciate it if you will have my reply brought to the attention of the 14 other Members of Congress who joined with you in signing the letter.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

DEPARTMENT OF STATE, March 14, 1938.

The Honorable RALPH BREWSTER, Maine.

The Honorable JAMES C. OLIVER, Maine.

The Honorable CLYDE H. SMITH, Maine.

The Honorable GEORGE J. BATES, Massachusetts.

The Honorable CHARLES R. CLASON, Massachusetts.

The Honorable CHARLES L. GIFFORD, Massachusetts.

The Honorable PEHR G. HOLMES, Massachusetts.

The Honorable ROBERT LUCE, Massachusetts.

The Honorable JOS. W. MARTIN, Jr., Massachusetts.

The Honorable EDITH NOURSE ROGERS, Massachusetts.

The Honorable GEORGE HOLDEN TINKHAM, Massachusetts.

The Honorable ALLEN T. TREADWAY, Massachusetts.

The Honorable R. B. WIGGLESWORTH, Massachusetts.

The Honorable CHARLES W. TOBEY, New Hampshire.

The Honorable CHARLES A. PLUMLEY, Vermont.

I have received the joint letter, signed by 15 Republican Members of Congress including yourself, dated March 3, 1938, and delivered on March 7, urging that the negotiation of any further reciprocal-

trade agreements be deferred "until the cost of production is ascertained in the countries with which negotiations are contemplated." In this connection, the letter refers specifically to the negotiations with Czechoslovakia as affecting shoes, and to articles, to be considered in the trade-agreement negotiations with the United Kingdom, "which compete directly with our own manufactured products," and recommends that no action be taken on these items "until production costs are available."

With reference to that part of your communication relating to Czechoslovakia, as you of course know, the trade agreement with that country was signed on March 7, 1938, and the terms of the agreement have been made public. In regard to the action taken with respect to shoes, I need only say that cost data, as well as other relevant factors, were carefully considered in the course of the negotiations before the moderate concessions on certain types of shoes, with ample safeguards for the domestic shoe industry, were included in the agreement with Czechoslovakia.

To adopt the cost-of-production formula as the sole criterion in connection with further trade-agreement negotiations would, for all practical purposes, amount to a virtual suspension of the trade-agreements program. When the resolution to renew the Trade Agreements Act (H. J. Res. 96) was before Congress in February 1937, substantially the same proposal came before the Ways and Means Committee. Commenting on this proposal, that committee, in its report on the resolution, stated in part as follows:

"The committee has taken note of suggestions that the cost-of-production formula, whereby changes in duties would be made only on the basis of prior findings of the difference in cost of production here and abroad, be incorporated into the Trade Agreements Act. However plausible on its face, this formula, if introduced into the act, would, in the committee's opinion, so seriously impede the effective operation of the act as virtually to nullify it. The committee feels that adequate consideration is already given to cost data as part of the general body of information taken into account in administering the act, and that reliance upon the cost formula as the sole basis for tariff adjustments in the trade agreements would be wholly impracticable.

"The most immediate and vital objection to the use of this formula in connection with trade agreements is the fact that it would so delay and hamstring the conduct of the negotiations as to make the act virtually a dead letter. Experience in the administration of section 336 of the Tariff Act of 1930 (and the corresponding provision of the act of 1922) has conclusively shown that the investigations required to make such findings cannot be completed short of months, sometimes a year. In view of the many investigations that would have to be conducted simultaneously if every proposed change of duty in an agreement were to be predicated upon such an inquiry, it is obvious not only that the resources of the Government would be swamped but that any possibility of concluding an agreement would be indefinitely delayed."

The committee further called attention to the serious objections to the cost formula as the exclusive basis for determining tariff rates, on grounds both of policy and of difficulties in administration.

In view of the foregoing consideration, the action recommended in your letter would amount not only to a "stay of negotiations," as your communication puts it, but to a complete suspension, a virtual abandonment, of the trade-agreements program.

Thus the real issue which your letter raises is whether it would be in the interest of this country to suspend or abandon the trade-agreements program. Surely you do not propose such a course of action.

From the standpoint both of our own economic well-being and of peace, suspension or abandonment of the trade-agreements program would be the worst possible blunder. It would be a mistake, moreover, the staggering costs of which would have to be shared by New England in common with the rest of the country.

A little more than a year ago, when the resolution to renew the Trade Agreements Act (H. J. Res. 96) was pending, the Ways and Means Committee, in its report to the House, stated its conclusions as follows:

"On the basis of careful study of the results of the trade-agreements program in its 2½ years of operation and of the manner in which the act has been administered by the executive branch of our Government, the committee is convinced that—

"(1) The foreign-trade agreements have demonstrated their efficacy in reviving our foreign commerce and in safeguarding it from adverse discriminations abroad;

"(2) The provisions of the act have been administered with care and caution and with scrupulous regard to the best interests of the Nation and to the intent of the Congress in authorizing the Executive to negotiate foreign-trade agreements;

"(3) The policy pursued by our Government under the act has served to strengthen our influence in favor of establishing and maintaining the conditions of peace by helping to remove some of the most dangerous economic causes of war; and that

"(4) In the sphere of international economic relations there is a continuing urgent need of effective action along the lines so far followed with marked success in the application of the Trade Agreements Act.

"The committee concludes, therefore, that it is of imperative importance to our national interests that the authority for the continuance of the program embodied in the act of June 12, 1934,

be extended in its present form for a further temporary period as provided by the accompanying resolution."

The urgency for stimulating international trade is even more obvious now than it was at that time. It is of the utmost importance that nothing be done at this time which will retard the restoration of foreign outlets for both agricultural and industrial products so necessary for our prosperity.

Consider for a moment the situation with respect to agriculture, and bear in mind that the prosperity of agriculture in this country vitally affects the prosperity of industry, in New England as elsewhere. Agriculture, as a whole, is dependent on export outlets, and that dependence is reemphasized this year by the return of good crops. Since the trade-agreements program has been in effect, severe shortages of many agricultural commodities, resulting from the unprecedented droughts of 1934 and 1936, have greatly reduced or entirely eliminated our exportable surpluses of important products. With high yields again in 1937, we are face to face with the problem of disposing in foreign markets of large surpluses of farm products over and above what can be readily absorbed in the domestic market. In years of favorable weather we invariably produce large surpluses of many of our most important crops. These surpluses, if not exported, weigh heavily upon the domestic market and force prices down to disastrous levels.

To discontinue the efforts to expand foreign outlets for farm products would evidence an indifference to the welfare of our farm population and a lack of understanding of the vital importance of a prosperous agriculture to our whole economy. We are now in process of negotiating a trade agreement with the United Kingdom. That country is of transcendent importance as a market for our farm produce, taking over a third of our total agricultural exports and about half of all agricultural exports other than cotton. Our exports of agricultural products to the United Kingdom in 1929 amounted to \$445,000,000. In 1937 these sales, although they had recovered considerably from the low years of the depression, were still down to \$259,000,000. Conclusion of a satisfactory trade agreement with the United Kingdom would obviously constitute an important contribution toward the solution of the problem of expanding market outlets for farm products. To suspend the operation of the Trade Agreements Act just at the time when an attempt is to be made to save and expand a market that takes one-third of our total agricultural exports would in my opinion, be an inexcusable blunder.

Prosperity in industry likewise depends upon an active foreign demand. In 1937 our exports of manufactured and semimanufactured products amounted to two and three-tenths billion dollars, Automobiles and tractors, office appliances, agricultural machinery, various types of industrial machinery, radio apparatus and various electrical household appliances, refined mineral oils, refined copper, various coal-tar products—these are but major categories in a vast range of industrial items the exportation and profitable sale of which mean the difference between prosperous and unprosperous conditions for a large proportion of our manufacturing industry. The prosperity of such industries is, moreover, of vital importance to other industries not themselves directly dependent upon foreign markets.

It was no blessing, disguised or otherwise, to our manufacturing industry, to the country as a whole, or to New England when the value of our exports of manufactured and semimanufactured products fell, as it did between 1929 and 1932, from three and three-tenths billion dollars to eight-tenths billion. That was a situation to which our embargo tariff policy, reaching its climax in the Hawley-Smoot Act, greatly contributed; and it is precisely that situation which we are now endeavoring, through the Trade Agreements Act, to correct.

It cannot be a service to American industry or labor, or a contribution to the maintenance of American living standards, to become suddenly indifferent toward the preservation and expansion of foreign markets for the products of such industries. On the contrary, to suspend the trade-agreements program in the face of such a situation would be about the worst possible thing that could be done, from the standpoint both of industry and labor. It would deal a body blow to the efforts of the Government to increase industrial activity and employment in the United States through a healthy expansion of our foreign trade. Far from helping to maintain American living standards, it would definitely tend to lower them.

Let there be no illusion concerning New England's stake in this whole situation. Because New England produces a considerable range of manufactured products which are subject to actual or potential competition from imports, it is an easy but false jump to the conclusion that excessively high tariff duties are in its interest. That is most certainly a short-sighted and an erroneous view. Leaving entirely aside New England's direct interests in exports and in water-borne commerce, important as they are, and confining attention to the home market, the question which has to be squarely faced is this: What kind of a tariff policy is best calculated to promote a prosperous domestic market for New England products?

Surely it must be clear that an extreme protectionist policy does not do this. The virtually prohibitive tariff rates of the Hawley-Smoot Act did not prevent a decline in the value of manufactures produced in New England from six and four-tenths billion dollars in 1929 to three and one-tenth billions in 1933. Nor, for example,

did they prevent factory pay rolls in the State of Massachusetts from declining to only 46 percent in 1932 of what they were in 1929. When the purchasing power of the other parts of the country, including regions directly and vitally dependent upon foreign markets, collapsed, New England's producers of textiles, shoes, and numerous other articles were direct sufferers along with the rest. New England's bread lines were no shorter than those elsewhere.

There could be no greater illusion than to suppose that New England's essential interests can be divorced in this matter from those of the rest of the country. No more than the rest of the country can New England profit from a narrow policy of embargo protectionism. Of that the experience under the Hawley-Smoot Act is proof abundant. And the reason New England cannot profit is because a policy of that sort leads inevitably to the ruination of the domestic as well as the foreign market for products of American industry.

A program which is designed to restore and promote the domestic as well as the foreign markets for American products when it is administered, as is the trade-agreements program, with scrupulous and painstaking regard for the interests of the domestic producers, cannot fail to be of unquestionable benefit to New England and to every section of the country.

But New England's stake in this program does not end there. As I have stressed over and over again, this program is a constructive and a vital contribution to the cause of peace. It is the greatest single force today in bringing about a turning of the tide of international trade away from a tooth-and-claw struggle for vanishing trade opportunity toward a rebuilding of mutually profitable trade based on friendliness and fair dealing. It is thus helping to create conditions hospitable to peace and inhospitable to war. In a period when political tension has increased both in Europe and Asia, and danger of a world-wide conflagration has been ever present, the United States, through its trade-agreements program, has introduced an important stabilizing factor into international economic relations.

Abandonment of our liberal policy would signal a revival of economic warfare which would inevitably result in an increase of the political tension throughout the world. If we do not continue to move forward with the trade-agreements program we shall not be standing still; we shall be going backward. Suspension or virtual nullification of the program would be the signal for further increases in trade barriers everywhere, and new inroads into our reviving foreign trade. To turn aside from our carefully chosen course into a dead-end street that is still strewn with the wreckage of past tariff blunders would be worse than folly; it would be a great national tragedy. Rather we should continue to go forward with the program as vigorously as possible, on a broad nonpartisan basis, in the interest of our prosperity and of world peace.

Sincerely yours,

CORDELL HULL.

(Text of letter from Republican Members of Congress from the New England States to the Secretary of State, dated March 3, 1938, delivered by the riding page to Secretary Hull's office at 3:45 p. m., March 7, 1938)

MARCH 3, 1938.

The Honorable CORDELL HULL,

Secretary of State, Department of State, Washington, D. C.

MY DEAR MR. SECRETARY: This letter, which bears the signatures of the Republican Members of Congress from the New England States, is written to urge you to defer the negotiation of any further reciprocal-trade agreements until the cost of production is ascertained in the countries with which negotiations are contemplated.

In the case of the proposed agreement with Czechoslovakia, the United States Tariff Commission is seeking this information concerning shoes. Nothing should be done until the data is available to you and to the Congress.

There are so many articles to be considered in the agreement with Great Britain which will compete directly with our own manufactured products it will be extremely unwise to negotiate until production costs are available.

This matter is of such vital importance to the workers of our section of the country, thousands of whom are at the present time unemployed, that we urge you most strongly to accede to our request for a stay of negotiations.

Very respectfully yours,

James C. Oliver, Maine; Ralph Brewster, Maine; Charles W. Tobey, New Hampshire; Charles A. Plumley, Vermont; George Holden Tinkham, Massachusetts; Edith Nourse Rogers, Massachusetts; Allen T. Treadway, Massachusetts; Charles L. Gifford, Massachusetts; R. B. Wigglesworth, Massachusetts; Charles R. Clason, Massachusetts; Robert Luce, Massachusetts; Clyde H. Smith, Maine; Joseph W. Martin, Jr., Massachusetts; George J. Bates, Massachusetts; Pehr G. Holmes, Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, we in Massachusetts and in New England feel very bitterly about the attitude the administration is taking in regard to New England, particularly in regard to Massachusetts. In the

letter of the Secretary of State, to which I have referred, he points out to us, in effect, that New England need expect no favor or protection in the reciprocal-trade agreements. The administration adds insult to injury to us in New England in causing legislation to be passed that hurts us industrially, and which puts people out of work, and also in sending people like Secretary Wallace and the Assistant Secretary of State, the former "brain truster," Mr. Berle, to make speeches in which they criticize New England. Everybody remembers Secretary Wallace's attack upon New England at the time of the processing-tax question. The following is an Associated Press article which appears in the New York Times this morning. It adds insult to injury.

BERLE ADDRESSES LABOR-PARTY RALLY—ASSISTANT SECRETARY OF STATE SPEAKS AT BOSTON CONVENTION OF NONPARTISAN LEAGUE—BLAMES NEW ENGLANDERS—INDUSTRY THERE BROUGHT ON ITS OWN DECLINE BY HIGH TARIFF DEMANDS, HE CONTENDS

BOSTON, March 27.—A. A. Berle, Jr., Assistant Secretary of State, blamed New England industry for its own "decline" today and bluntly asserted that it needed "imagination and a new approach."

Mr. Berle spoke at a convention launching labor's nonpartisan league as a "political force" in Massachusetts.

"For a good many years the policy of New England industry has too often been to complain about its wrongs and then to ask for special privileges. The result has been precisely nothing. What is needed now is not complaining, but constructive thought."

Here in the hub of the highly industrial section, where opposition has been voiced to reciprocal-trade treaties, Mr. Berle declared that President Roosevelt "asked me to say" that "no one needs to fear that he will be sacrificed" in the proposed British-American trade agreement.

Pointing out these States were "most prosperous . . . when international commerce was open," Mr. Berle added:

"The decline of New England began when our protective tariffs caused retaliation elsewhere, and when a gradual process of trade strangulation began to be general throughout the world."

"No area helped to make that condition more than New England and no area suffered more from it."

The former "brain truster," charging New England manufacturers for a century had asked, under the guise of "protecting" labor, tariff protection "so great that it finally amounted to an embargo on foreign imports," said:

"I have an uneasy suspicion that it was not labor they were chiefly thinking about. What they wanted was a monopoly of the American domestic market. In time they nearly got it. Then many of them moved to the South to find cheaper labor. Now, we are counting the cost."

He suggested that New England "develop industries which serve its local consumption," and called on the league to form a committee to consider New England industry, which "needs your help and your imagination very, very badly indeed."

Mr. Berle is quoted as saying:

For a good many years the policy of New England industry has too often been to complain about its wrongs and then to ask for special privileges. The result has been precisely nothing. What is needed now is not complaining but constructive thought.

Mr. Berle singles out New England to chastise when it complains that it has been wronged and when it asks for special privileges. He is chastising both the industries and the workers, as industry does not prosper and the employees are out of work. The workers of New England know that the tariff protected them and their work, that it resulted in their having the best pay and the best hours of labor in the country. It is adding insult to injury to have Mr. Berle criticize them when they raise their voices in protest against allowing low-cost-labor goods to flood our stores and take away our markets.

Mr. Berle goes on to say:

President Roosevelt asked me to say that no one needs to fear that he will be sacrificed in the proposed British-American trade agreement.

The workers of New England have every reason to wonder just what Mr. Berle's so-called promise from the President actually means. They are too troubled and too unhappy over the reciprocal-trade agreement just negotiated with Czechoslovakia. In the hearings prior to that agreement they asked for more protection for leather and for boots and shoes, and what was the result? They were granted even less protection than they now have, as the tariff was lowered on

McKay shoes and an increased quota over the present importations is allowed by the terms of the agreement. The tariff was lowered on textiles, lowered on glass, lowered on hats, and lowered on many other items. One trembles to think what would have happened had not the employers and employees made a militant fight against injustice.

Then Mr. Berle says:

I have an uneasy suspicion that it was not labor they were chiefly thinking about. What they wanted was a monopoly of the American domestic market. In time they nearly got it. Then many of them moved to the South to find cheaper labor. Now we are counting the cost.

In a speech in Gainesville, Ga., the President spoke of the "feudal system" in the South and the poorly paid workers there. I have heard many a bitter comment from both manufacturers and workers regarding that speech in its relation to the reciprocal-trade agreements. While the wages are low in the South, which the President says is living in a state of "feudalism," they cannot compare with the lower wages of Czechoslovakia, Japan, and the other countries of the world. And yet, regarding these reciprocal-trade agreements, the President makes no protest against coolie wages paid in Japan and other countries. The people of Massachusetts, in fact the people of the entire country, need only to go to the stores and see the low-price imported goods which are on the counters of these stores to know without being told what labor is being paid across the seas.

To go on, Mr. Berle suggested that New England "develop industries which serve its local consumption." In one breath Mr. Berle tells his listeners of the great advantages of the reciprocal-trade agreements, in the next breath he tells this same group of New Englanders to develop industries which will serve its local consumption. Is it possible Mr. Berle is suggesting that New England secede from the Union and develop into a self-sustaining little country of its own? In its treatment by the administration, surely one must feel that New England is being counted out and left to fight alone. How do the reciprocal-trade agreements fit into this picture?

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

SUBCOMMITTEE ON PATENTS—LEAVE TO SIT DURING SESSIONS OF HOUSE

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent that a subcommittee of the Committee on Patents be permitted to sit during the sessions of the House for the remainder of this week.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. O'CONNOR of New York. Mr. Speaker, will not the gentleman make that 2 days at a time?

Mr. O'MALLEY. Mr. Speaker, the only reason why I make the request is to accommodate witnesses from the gentleman's own State, who are down here at great personal expense. I want to have them give the committee their views and then return.

Mr. O'CONNOR of New York. That does not influence me at all, because I think there is too much accommodation of actors and actresses.

Mr. O'MALLEY. Oh, there are no actors or actresses who appear before my subcommittee. If they did, the hearings might be more interesting.

Mr. O'CONNOR of New York. Mr. Speaker, it is a bad practice to have committees sitting for a whole week while the House is in session. I doubt the necessity for it. Get these people up a little earlier in the morning and get them down here at 9 o'clock before the committee.

Mr. O'MALLEY. I am acting only by the direction of the subcommittee.

Mr. O'CONNOR of New York. Make it 2 days.

Mr. O'MALLEY. Mr. Speaker, I will compromise on 3 days. Make it 3 days.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that tomorrow, after the reading of the Journal and the disposition of business on the Speaker's table and the conclusion of the legislative program for the day, after the conclusion of the special order already made, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—CLAIM OF GOVERNMENT OF NORWAY

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I enclose a report received from the Secretary of State requesting the submission to the present Congress of the claim presented by the Government of Norway against the United States on account of the detention and treatment of the crew of the Norwegian steamer *Sagatind* subsequent to the seizure of this vessel by the United States Coast Guard cutter *Seneca* on October 12, 1924.

I concur in the recommendation made by the Secretary of State and recommend that as an act of grace and without reference to the question of the legal liability of the United States of America in the matter the Congress authorize an appropriation in the sum of \$5,000 in order to effect the settlement of all claims arising with respect to the detention and treatment of the crew of the steamer *Sagatind* subsequent to the seizure of that vessel on October 12, 1924.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 28, 1938.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—PARTICIPATION IN FOURTH INTERNATIONAL CONFERENCE ON PRIVATE AIR LAW

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing an appropriation of the sum of \$15,500, or so much thereof as may be necessary, for the expenses of participation by the United States in the Fourth International Conference on Private Air Law, to be held at Brussels, Belgium, in September 1938.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 28, 1938.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—DEBT OF GOVERNMENT OF HUNGARY TO THE GOVERNMENT OF THE UNITED STATES (H. DOC. NO. 563)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I transmit herewith, for the consideration of the Congress, a communication from the Minister of Hungary on the relief indebtedness of Hungary to the United States, in which the Hungarian Government tentatively formulates for the consideration of the American Government a possible basis for a new debt arrangement between the two countries to replace completely the debt agreement of 1924 and accruals thereunder.

The indebtedness of the Government of Hungary to the Government of the United States is not a war debt but is properly designated as a relief debt, having been contracted in May 1920, under the authority of the act of March 30,

1920, which authorized the United States Grain Corporation, with the approval of the Secretary of the Treasury, to sell or dispose of flour in its possession for cash or on credit at such prices and on such terms or conditions as considered necessary to relieve the populations in the countries of Europe or countries contiguous thereto suffering for the want of food. The American Relief Administration acted as the fiscal agent of the United States Grain Corporation in dispensing this relief.

The original indebtedness, the principal amount of which was \$1,685,835.61, with interest accrued thereon from May 1920 to December 1923, at the rate of 4¼ percent per annum, was funded as of the latter date, by agreement made in April 1924, into bonds of Hungary in the aggregate principal amount of \$1,939,000, maturing serially in the succeeding years for 62 years, bearing 3 percent for the first 10 years and thereafter at the rate of 3½ percent per annum. In approving this debt settlement the Congress authorized the Secretary of the Treasury to subordinate the lien of the bonds taken under it to the lien of the Hungarian reconstruction loan, which was about to be issued and sold in numerous countries, including the United States. In May 1924 the Secretary, acting upon this authorization, formally subordinated the American Government's lien to the lien of the reconstruction bond issue.

On December 23, 1931, the Hungarian Government proclaimed a transfer moratorium suspending payment in foreign currencies of all Hungarian foreign obligations, public and private, except the aforesaid reconstruction loan of 1924. Payments on the latter loan were subsequently suspended in part. During 1937 the Hungarian Government began liquidating the transfer moratorium by negotiating agreements with the foreign holders of Hungarian obligations for the acceptance of reduced payments in full satisfaction of existing indebtedness. It is in this connection that the Hungarian Government has now come forward of its own initiative in an effort to reach an agreement with the United States Government under which the relief indebtedness can also be discharged in full.

No readjustment of the terms of payment of the Hungarian indebtedness to the United States can be made except pursuant to act of Congress. The Hungarian Government is seeking a definitive readjustment of the terms of payment of this indebtedness on the basis of full payment over a period of years of the total original amount borrowed, without interest.

The Hungarian Government calls attention to the similarity between its suggested basis for payment and that accepted by the United States in the Austrian debt agreement of May 8, 1930, which provided that a sum very slightly in excess of the original Austrian indebtedness incurred in 1920 should be repaid without interest in 40 annuities. The Congress of the United States, after full consideration of the nature of the Austrian indebtedness, voted by a large majority in the House of Representatives and by a unanimous procedure in the Senate, to authorize the signature of the draft agreement which had been prepared by the Treasury Department and the representatives of the Austrian Government. The Hungarian debt is a relief debt like the Austrian one.

The Hungarian Minister also suggests that the terms compare favorably with those in several other debt settlements, and that in announcing the signature of the debt agreement with Austria in 1930, the Secretary of the Treasury said:

The settlement compares favorably with the settlements made by the United States with the Governments of Greece, Italy, and Yugoslavia.

It has, of course, been the consistent policy of the United States to consider each debt in the light of the circumstances of the debtor government, and it is with this in view that the Hungarian communication is transmitted to the Congress.

I believe the proposals of the Hungarian Government should receive the most careful consideration of the Congress. They represent a noteworthy wish and effort of the Hungarian Government to meet its obligations to this Government.

In its simplest terms, the offer of the Hungarian Government is to repay to the United States the whole of the relief loan but without payment of any interest thereon.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 28, 1938.

DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from Maryland [Mr. PALMISANO].

AMATEUR BOXING

Mr. PALMISANO. Mr. Speaker, I call up the bill (H. R. 9227) to amend an act entitled "An act to authorize boxing in the District of Columbia, and for other purposes."

Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize boxing in the District of Columbia, and for other purposes," is hereby amended to read as follows:

"1. (a) The provisions of this act shall not apply in any way to any amateur boxing match or exhibition conducted by or participated in exclusively by any school, college, or university, as defined in this act, or by any association or organization composed exclusively of such schools, colleges, or universities when each contestant in any such match or exhibition is a student regularly enrolled for not less than one-half time in a school, college, or university as herein defined.

"(b) As used in this act 'school, college, or university' includes every school, college, or university supported in whole or in part from public funds and every other school, college, or university supported in whole or in part by a religious, charitable, scientific, literary, educational, or fraternal organization which is not operated for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

With the following committee amendment:

Page 1, at the beginning of line 6, insert: "In the event that the authorities in charge shall notify the boxing commission that they do not desire its supervision, then."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GAMBLING IN THE DISTRICT OF COLUMBIA

Mr. PALMISANO. Mr. Speaker, I call up the bill (S. 711) to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code.

The SPEAKER. This bill is on the House Calendar. The Clerk will read the bill and the amendments.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting a Code of Law for the District of Columbia, be, and the same hereby are, amended as follows:

Section 863 of such act is hereby amended to read as follows:

"Sec. 863. If any person shall within the District keep, set up, or promote, or be concerned as owner, agent, or clerk, or in any other manner, in managing, carrying on, promoting, or advertising, directly or indirectly, any policy lottery, policy shop, or any lottery, or shall sell or transfer any chance, right, or interest, tangible or intangible, in any lottery or shall sell or transfer any ticket, certificate, bill, token, or other device, purporting or intended to guarantee or assure to any person or entitle him to a chance of drawing or obtaining a prize, to be drawn in any lottery, or in a game or device commonly known as policy lottery or policy or shall, for himself or another person, sell or transfer or have in his possession for the purpose of sale or transfer, a chance or ticket in or share of a ticket in any policy lottery or any such bill, certificate, token, or other device, he shall be fined upon conviction of each said offense not more than \$1,000 or be imprisoned not more than 3 years, or both. The possession of any such tickets, certificates, bills, slips, tokens, or other device shall be prima facie evidence of purpose or intent of selling, transferring, exchanging, or negotiating the same."

SEC. 2. There is hereby added to said act a new section to be known as section 863 (a), to read as follows:

"Sec. 863. (a) If any person shall within the District have in his possession, knowingly, any ticket, certificate, bill, slip, token, paper, writing, or other device used, or to be used, or adapted, devised, or designed for the purpose of playing, carrying on, or conducting any lottery, or the game or device commonly known as policy lottery or policy, he shall be fined upon conviction of each said offense not more than \$500 or be imprisoned for not more than 6 months, or both."

Sec. 3. Section 911 of such act is hereby amended to read as follows:

"Sec. 911. Upon complaint, under oath, before the police court, or a United States commissioner, setting forth that the affiant believes and has good cause to believe that there are concealed in any house or place articles stolen, taken by robbers, embezzled, or obtained by false pretenses, forged or counterfeited coins, stamps, labels, bank bills, or other instruments, or dies, plates, stamps, or brands for making the same, books or printed papers, drawings, engravings, photographs, or pictures of an indecent or obscene character, or instruments for immoral use, or any gaming table, device, or apparatus kept for the purpose of unlawful gaming, or any lottery tickets or lottery policies, or any book, paper, memorandum, or device for or used in recording any bet or deposit of money or thing or consideration of value received for any share, ticket, certificate, writing, bill, slip, or token in any pool or lottery or as a wager on or in connection with any race, game, contest, election, or other gambling transaction or device of an unlawful nature as defined in sections 863, 864, 865, 866, 868, and 869, of the act of March 3, 1901, as amended and supplemented, particularly describing the house or place to be searched, the things to be seized, substantially alleging the offense in relation thereto, and describing the person to be seized, the said court or United States commissioner may issue a warrant either to the marshal or any officer of the Metropolitan Police commanding him to search such house or place for the property or other things and, if found, to bring the same, together with the person to be seized, before the police court.

"The said warrant shall have annexed to it, or inserted therein, a copy of the affidavit upon which it is issued, and may be substantially in the form following:

"Whereas there has been filed before — an affidavit, of which the following is a copy [here insert]. These are therefore to command you to enter [here describe the place] and there diligently search for the said articles, goods, or chattels in the said affidavit described, and that you bring the same, or any part thereof, found on said search and also the body of — before the police court, to be dealt with and disposed of according to law."

Sec. 4. Section 914 of such act is hereby amended by adding a new paragraph thereto, the same to read as follows:

"If the property seized be articles, games, devices, or contrivances maintained, kept, set up, or used in violation of sections 863, 863 (a), 864, 865, 866, 867, 868, or 869 of this code, they shall be ordered destroyed, under direction of court, irrespective of any trial or the outcome thereof."

If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

With the following committee amendments:

Page 2, line 6, after the word "any", insert the words "policy lottery or any."

Page 2, line 14, after the word "any", strike out the word "policy."

Page 2, line 17, beginning with the word "The", strike out remainder of section and insert the following in lieu thereof: "The possession of any copy or record of any such chance, right, or interest, or of any such ticket, certificate, bill, token, or other device, shall be prima facie evidence that the possessor of any such copy or record did, at the time and place of such possession, keep, set up, or promote, or was at such time and place concerned as owner, agent, or clerk, or otherwise in managing, carrying on, promoting, or advertising a policy lottery, policy shop, or lottery."

Page 4, line 9, after the word "warrant", insert the word "either."

Page 4, line 12, after the word "court", insert the words "or United States commissioner issuing said warrant, as the case may be."

Page 4, line 22, after the word "court", insert the words "or United States commissioner, as the case may be."

Page 5, line 7, after the word "court", insert "or United States commissioner as the case may be."

Page 5, line 16, strike out the word "shall" and insert the word "may" in lieu thereof.

Page 5, line 19, insert "Sec. 5"

The SPEAKER. The gentleman from Maryland is recognized for 1 hour.

Mr. PALMISANO. Mr. Speaker, there has been considerable publicity given to my opposition to Senate bill 711, which is known as the bill to outlaw the so-called numbers-racket gambling. My opposition to the bill has always been to a provision in the bill which I consider is a violation of the fourth amendment pertaining to unlawful

search and seizure and that is it would give the police the right under section 911, on page 3, of the bill "Upon complaint, under oath, before the police court, or United States Commissioner, setting forth that the affiant believes and has good cause to believe" that there was gambling going on in a particular house because the officer himself saw a number of persons whom he thought were gamblers enter the premises. There has never been any objection in having a law passed to permit possession of a policy slip to be considered prima facie evidence that the holder was playing the numbers game, but that is not what the authorities seek under this act. I might call your attention to several newspaper articles.

On March 29, 1934, in the Daily News, the following headline appeared:

THE GRAND JURY IGNORES GAMBLING EVIDENCE; IRKED BY METHODS

Under that heading it says [reading]:

This is the second time the grand jury has ignored charges growing out of important raids by the gambling squad. A month ago a half dozen men were released after the grand jurors became incensed because scores of persons seized in a raid were unduly retained by police.

On July 18, 1934, in the Washington Daily News, the following article appeared:

TWENTY-TWO MEN IN GAMBLING RAID—ALL ARE HELD

Changing their tactics in the charging of patrons found in gambling places, the police vice squad yesterday arrested 22 men and held them under \$2,000 bond each for setting up a gaming table on the third floor of a building at 605 Pennsylvania Avenue NW.

A three-man squad, led by Sgt. George C. Deyoe, battered down three doors and said they found race-betting and gambling devices in the rooms. The 22 men, operators and patrons, all refused to name the parties who took the bets. The majority of those arrested were held in station houses overnight and were to appear in police court today.

Lt. George M. Little, vice squad chief, said:

"In the future we will hold every prisoner responsible unless we can learn the identity of the operator. In this case no one would admit responsibility, so we consider one as guilty as the other."

On March 7, 1933, I received a letter from Mr. Louis R. Lautier, together with a clipping from a Washington newspaper, which reads as follows:

Two complaints concerning the conduct of Detective Roy Blick, of the third precinct, involving arrests without probable cause and unlawful search and seizure, have been lodged with Maj. Ernest W. Brown, Superintendent of Police.

To show that oftentimes police officers exceed their authority even though it is against the advice of the courts and district attorneys, the best illustration is shown according to the Washington Post of March 23, 1933. In behalf of Assistant Superintendent Bernard W. Thompson, of the Metropolitan Police, I wish to say that I have not heard a single person say they were against him, either a citizen or a member of the police force. He seems to be an excellent officer and commands the respect of everybody. However, he seems to be a fanatic on this subject. I wish to quote the article in the Washington Post, which is as follows:

WOMEN FREED BUT POLICE WILL PUSH VICE DRIVE—SUSPECTS WILL BE ARRESTED AGAIN IF THEY RETURN TO STREETS, POLICE SAY

The 16 women, released yesterday when their cases on soliciting charges were nolle prossed for lack of evidence in police court, will be arrested again if they return to the streets, according to orders issued last night by Assistant Superintendent Bernard W. Thompson of the Metropolitan Police.

He instructed members of the newly formed "pick-up squad" to allow no let-up in their drive. "We'll put them in jail as often as we can arrest them," he said. "Even if we can get no convictions, we can force them to pay out bond money."

Inspector Thompson expressed hope that continual arrests ultimately would drive the women out of town. Further progress of the anticvice drive was threatened when the cases against the women were dropped. The technical charge was vagrancy, but careful study of the present vagrancy act convinced Assistant Corporation Counsel John O'Dea that he could not bring a conviction under the law.

The act, passed in 1935, "for the suppression of prostitution in the District of Columbia," provides that anyone frequenting a house of ill-fame or committing an act of fornication for hire shall be considered a vagrant and may be penalized as such. O'Dea pointed out that he lacked evidence of the women's being "va-

grants" in that sense. Although many of them previously had been held for soliciting prostitution, their records do not constitute evidence under the vagrancy act, he explained.

Now you will note that this was the act passed in 1935. The authorities here claim that they want a more stringent law, and as chairman of the subcommittee I reported this bill to the House and had it passed, but it was never intended to give the police authorities the right to pick women up off the streets on suspicion that they were soliciting without any legal evidence to convict, and the inspector in this case insists that he is continuing to do so whether there is any evidence or not. For that purpose I quote the language of Judge Dietrich in the case of Baumboy:

Addicts presumably must lodge somewhere and that these persons went there for a legitimate purpose is fully as reasonable as the contrary assumption.

Now, it is just as fair to assume that a woman who has previously been convicted of a crime could be walking the streets presumably in a legal manner and for a legal purpose.

To show you that the police department and the prosecuting authorities in the District desire to ignore the fourth amendment to the Constitution, relating to unlawful search and seizure, is well illustrated by the following testimony before a subcommittee on crime investigation of the Committee on the District of Columbia in 1935, speaking of Senate bill 2925, which is similar to the bill we are now considering.

Mr. SHAFER of Michigan. Will the gentleman yield? I think the gentleman wants to be fair in his statement. I believe he is giving the House the wrong impression in regard to search warrants.

Mr. PALMISANO. Let me tell you what Mr. Garnett said.

Mr. SHAFER of Michigan. I know, but the law is plain. Look at section 911.

Mr. PALMISANO. You may answer this if you want to. I am quoting the language and the testimony of Mr. Garnett. If he is not an authority, I do not know who should be, and he is the man who proposed the bill. Mr. Garnett, who is mentioned in this testimony, was then United States District Attorney for the District of Columbia.

Mr. REED. Haven't the courts construed the law that the person who makes the affidavit mentions all the reasons upon which he bases his belief?

Mr. GARNETT. Yes, but you do not have that statute now; you have no statute except that you must get an affidavit that there is gambling going on.

Mr. REED. Then, under the present statute an affidavit could be made that gambling was going on in my house without actually knowing anything about it.

Mr. GARNETT. No, you cannot do it in that way. This is aimed at commercial gambling. Never in the history of the world would that be done. We have no unusual statute. They have it in New York and in Virginia now.

Mr. KENNEDY of Maryland. Will the gentleman yield for a question? I would like to know if the gentleman is quoting from the hearings held in 1935 involving crime in the District?

Mr. PALMISANO. Yes.

Mr. KENNEDY of Maryland. That committee was headed by the gentleman from West Virginia [Mr. RANDOLPH].

Mr. PALMISANO. Yes. This is from pages 197 and 198.

Mr. FITZPATRICK. As I understand the Congressman's point, under our present practice in the District of Columbia before you can get the search warrants, of course you must make a complaint under oath.

Mr. GARNETT. Yes.

Mr. FITZPATRICK. And in that you have to show good cause or probable cause as the books call it. Now, under our present practice, does not the United States Commissioner who issues search warrants and judges of the police court who issue search warrants require that they be upon complaint, by personal knowledge?

Mr. GARNETT. I do not see how it could under this section.

Mr. FITZPATRICK. Isn't that what is required today?

Mr. GARNETT. I do not think so under section 911.

Mr. FITZPATRICK. Then if that is not required, can you walk into the police court at the present time and get a search warrant based on information and belief?

Mr. GARNETT. No, you cannot; that is what I want to do there. I want to put it with the counterfeit coins and stolen goods statute; make that statute applicable to the gambling situation.

Mr. REED. If you do amend that section, so that you issue warrants upon information and belief, isn't that contrary to the United States Constitution, for I might honestly believe it, and if we did not get the evidence, there could be no perjury charge against me.

Mr. GARNETT. It all depends upon good faith with which it is done, but we do search—we did search under the Prohibition Act, searching without warrant.

Mr. FITZPATRICK. Isn't the trouble here today that the courts have held that they are based on information and belief rather than on personal knowledge?

Mr. GARNETT. I wanted to change it.

Mr. FITZPATRICK. How will you change it?

Mr. GARNETT. Based on information and belief, just as they do on the counterfeit-coin statute.

Mr. REED. Then it would be void?

Mr. GARNETT. It has never been declared void yet.

Mr. FITZPATRICK. But the trouble with your search warrant today is that it is based on information and belief?

Mr. GARNETT. Yes.

Mr. FITZPATRICK. That warrant is no good.

Mr. GARNETT. That is no good because there is no statute covering it.

Mr. FITZPATRICK. There is a statute covering the search warrant. Mr. GARNETT. Yes; and this (indicating proposed bill) will cover it.

Mr. RANDOLPH. What were your other recommendations? That is number one.

Mr. GARNETT. The other is that possession of gambling paraphernalia was prima facie evidence of the use of the premises for gambling as against the landlord, the lessee, and the occupant. And the third is that we would try to re-form the statute so as to include the numbers racket, including it by name.

Mr. RANDOLPH. Set it out?

Mr. GARNETT. Yes; set it out.

Mr. FITZPATRICK. Now, Mr. Garnett, you would make it prima facie a felony for a landlord to rent property which might thereafter be used for gambling purposes?

Mr. GARNETT. Yes; prima facie.

Mr. FITZPATRICK. You would not require any guilty knowledge on the part of the landlord?

Mr. GARNETT. Not a bit.

Mr. FITZPATRICK. Do you think such a statute as that would be constitutional?

Mr. GARNETT. It was worse than that under the prohibition law, which was upheld.

Mr. HOFFMAN. Will the gentleman yield?

Mr. PALMISANO. No.

Mr. HOFFMAN. I want to correct a statement. I want to know what the gentleman said. Will he repeat that? That part about the district attorney asking for the right to search without warrant.

Mr. PALMISANO. Yes.

Mr. HOFFMAN. Oh.

Mr. PALMISANO. Well, here is the testimony.

Mr. HOFFMAN. I can read the bill.

Mr. PALMISANO. No, no. Wait.

Mr. HOFFMAN. Why not read the bill instead of someone's testimony?

Mr. PALMISANO. Then the gentleman from Michigan has no respect for the district attorney who advocated this bill?

Mr. HOFFMAN. When we are passing a proposed law, I look to the bill.

Mr. PALMISANO. I am asking the gentleman whether or not he is going to give some credence to the views of the man who advocates the bill? You must give him credit for knowing something about the law.

Mr. HOFFMAN. It does not make any difference what we think about the man who advocates the bill. Read the bill.

Mr. PALMISANO. I read to the Members of the House the testimony of the man who advocated this bill and had it introduced.

I can readily understand where we might stretch a point to search a house where articles stolen, taken by robbers, embezzled, or obtained by false pretenses, forged or counterfeit coins, stamps, labels, bank bills, or other instruments, or dies, plates, stamps, or brands for making the same, but I cannot see where the police authorities should have power to break into a private home or hotel on information and belief. Of course, you claim this is only to apply to commercial gambling, but who is to be the judge as to whether or not a card game in a private home or a card game in a hotel with friends is not commercial gambling. There are

many cases that have gone to the higher courts on the question of unlawful search and seizure on warrant taken on information and belief, or as Captain Little, who is in charge of the vice squad, said that he was obtaining what he called "observation warrants."

I refer you to the case of Baum Boy against United States, Ninth Circuit, Circuit Court of Appeals, February 20, 1928. This was a narcotic case and it was a warrant on the grounds that addicts were going into the St. Elmo Hotel and the policeman obtained a search warrant and searched the place. Judge Dietrich in reversing the lower court said:

Addicts presumably must lodge somewhere and that these persons went there for a legitimate purpose is fully as reasonable as the contrary assumption.

On May 15, 1934, as chairman of the District Subcommittee, I held a hearing on Senate bill No. 2925 and had present the district attorney, the superintendent of police, and other officials of the police department. At that hearing a colored man named Richard Green testified among other things that he was a numbers writer, and my colleague, Mr. DIRKSEN, from Illinois, asked him if he believed in a 600-to-1 shot in favor of the backer. Green denied that it was a 600-to-1 shot and began to tell how the game was conducted and the various expenses his boss had in connection with the game, including \$20 per month for police protection. My surprise at that time was that while the police authorities here want the right to obtain a search warrant on information and belief they permitted this man to go free without being molested. When I questioned Captain Little pertaining to this case he said that he had made an investigation of the case but that he did not recall making a written report nor did he have the colored man's address. It seems to me that what should have happened at that time was to have charged Green with gambling on his own statement and have him go before the grand jury and disclose the name of his employer in order to break up the business. It is for that reason that I have had no faith in the so-called numbers racket bill that has been before the District Committee for the past 5 or 10 years. I, for one, by my vote, will never consent to permit the search of a man's home on information and belief.

If any gentleman desires to ask questions, I shall be pleased to yield.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. Does the gentleman understand under the terms of this bill that if a Member of Congress were carrying Irish sweepstakes tickets in his pocket, upon the complaint of some person who might not happen to like the way the Congressman parted his hair or what he was doing here, he could be picked up and arrested?

Mr. PALMISANO. No question about it.

Mr. O'MALLEY. And put in jail from 6 months to 3 years?

Mr. PALMISANO. Yes; no question about it. I may say that if you have a telephone number written on a slip and are picked up on some other charge, perhaps in connection with an automobile accident, and are taken to court, if the police construed that slip to be a numbers slip, you would be held unless you could give a satisfactory explanation.

Mr. O'MALLEY. All I am interested in is the safety of Members of Congress who may be carrying Irish sweepstakes tickets in their pockets.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman believe Members of Congress need protection from what the gentleman has suggested? This is a law for our own protection.

Mr. PALMISANO. Unfortunately, some Members of Congress are a little more open and aboveboard than others.

Mr. HOFFMAN. And gullible.

Mr. PALMISANO. And they agree they have faults, but some gentlemen will not admit it. The gentleman from Michigan stated the other day he was against all gambling.

I wanted to insert in the bill a provision making it a crime for anyone to have in his possession a horse-racing entry, but I was told such a provision would be in violation of the Constitution.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. The objection made by the gentleman from Wisconsin should not worry the Members of Congress, when the Irish sweepstakes losers were 5,500,000 and the winners only 1,700 in number.

Mr. PALMISANO. I have no controversy about that question.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from New York.

Mr. DICKSTEIN. The gentleman from Maryland has made a considerable study of this bill and has made quite an impression upon many Members of Congress. Why do you provide for an ordinary misdemeanor, such as the possession of a policy ticket or a ticket used in any game of chance, a penalty of 3 years in prison and a fine of \$1,000, when for a similar offense down South or in my own city we charge the violators a dollar?

Mr. PALMISANO. The gentleman is misinformed when he says I make such a provision. In the first place, I have not proposed the bill.

Mr. DICKSTEIN. No; I say the law provides that.

Mr. PALMISANO. I have been against the bill, and I am am still against it, on general principles.

Mr. DICKSTEIN. May I call the gentleman's attention that we cannot even understand what is meant by section 863 on page 2? You have incorporated about 50 laws in that section.

Mr. PALMISANO. I do not know about that. I am opposed to it.

Mr. DICKSTEIN. Somebody ought to know about it.

Mr. PALMISANO. I reserve the balance of my time, Mr. Speaker.

(Mr. PALMISANO asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. PALMISANO. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. JONES. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. DIRKSEN. I yield to the gentleman from Texas, Mr. Speaker, for that purpose.

AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. JONES. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9915) to amend the Agricultural Adjustment Act of 1938, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Texas. [After a pause.] The Chair hears none, and, without objection, the Chair appoints the following conferees: Messrs. JONES, FULMER, DOXEY, HOPE, and KINZER.

There was no objection.

Mr. MANSFIELD. Mr. Speaker, will the gentleman from Illinois yield for a unanimous-consent request?

Mr. DIRKSEN. I yield to the gentleman from Texas, Mr. Speaker.

SEA WALL AT GALVESTON HARBOR, TEX.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8524) authorizing the completion of the existing project for the protection of the sea wall at Galveston Harbor, Tex., with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 3, strike out the words "and directed."

Mr. SNELL. Reserving the right to object, Mr. Speaker, I do not know what this bill is, but I suppose it has been unanimously reported from the gentleman's committee.

Mr. MANSFIELD. I may say to the gentleman from New York this bill passed the House several weeks ago by unanimous consent. It provides for the completion of the groins for the protection of the sea wall at Galveston Harbor.

The money heretofore allocated was insufficient to complete the job, although it was authorized by the Congress. I introduced a bill simply authorizing and directing the Secretary of War to complete the job. The Senate struck out the word "directed" and just left the word "authorized," and I am satisfied with the amendment if it is agreeable to the House.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GAMBLING IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I believe the Members of the House would like to know a little something about this bill. You are aware by common knowledge or experience that the numbers game flourishes in the District of Columbia. The operators of the game, however, do not put themselves within the jurisdiction of the District. They stay over in Maryland or they may stay in Virginia, but in any event, they do not come within the District. So there is no jurisdiction here over the gentlemen who have the money and who do the banking for this business. They hire, of course, these gentlemen with little books consisting of sets of 50 slips, who go out and sell numbers. You can buy a number for 5 cents, you can buy a number for 10 cents, or you can buy one for 50 cents.

Here is the way the thing works. These gentlemen will walk up and down the street and somebody wants to buy a number. You can select your own number from any three digits up to a thousand. You tell them, for instance, you want the number 333. He takes out a pencil and this book with carbon paper in it and puts down 333. He gives you one slip and he keeps one in the book. He takes this other slip and sends it to the fellow who is backing this racket.

Now, here is the difficulty under existing law. The courts have held that this duplicate copy of a number slip is not a lottery slip and you cannot prosecute them. So what you do is this: If a gentleman comes up and buys a number, you can proceed against the possessor of the slip but not against the fellow who runs the racket.

This is existing law, and the only reason for the amendment in the first section of this bill is for the substantial purpose of including the word "copy," so that as this gentleman goes along the streets and highways of Washington with this little book in his pocket you can catch him for having a copy instead of the original lottery slip. This is the purpose of section 863, as amended, of the laws of the District of Columbia, at the present time.

Then the next section amends section 863 of existing law. It provides for a misdemeanor offense with a fine of \$500 for possession or imprisonment for 6 months, or both.

I have contended all along that if we are going to break up a racket like this we have got to put these people in jail. There is a lot of money involved here. This thing is not controlled down here, but is controlled in New York. You are familiar with Dixie Davis, who has been held in durance in Philadelphia, and with Dutch Flegenheimer, better known as Dutch Schultz, and hundreds of others who have been reaping hundreds of thousands and even millions of dollars from this racket. This is just an offshoot from the racket in New York City.

My notion is, if you are going to do anything with these fellows, you have got to chuck them in jail. So we have a misdemeanor provision here providing a fine and imprisonment.

It has been stated that under this bill you can go along in a free, easy, and whimsical fashion and grab somebody because he has a pair of Irish Sweepstake tickets in his

pocket and land him in jail, but you gentlemen know and my beloved friend from Milwaukee knows, it just does not work out that way.

If you will read section 3, which amends section 911 of existing law, you will see that all it does is to put this measure in line with the law of every other jurisdiction in the country. It is the commonly experienced or so-called information and belief section. If somebody goes before the police court or goes before the United States commissioner and on information and belief makes an affidavit describing the premises, describing the persons, and so forth, certainly the judge, if it looks like a reasonable case, is going to issue the warrant. This happens in my State, it happens in your State, it happens in the State of Michigan and it happens everywhere.

We have amended this section to provide that this warrant can be issued by the United States commissioner, as well as by the judge of a police court. There is a reason for this. Under existing law the police court has had to issue these warrants. The United States commissioner can issue them only in limited fashion under the Federal espionage act. So we are here giving him broader powers in the issuance of these warrants on information and belief where an affidavit has been made properly setting out the circumstances, describing the premises, and so forth.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield right at that point?

Mr. DIRKSEN. I will yield to the gentleman later.

Here is what you have to keep in mind when you tackle this gambling business. Obviously, it is illegal to play poker, obviously it is illegal to put money on a horse race, and, obviously, all these forms of gambling are illegal simply because public policy does not condone gambling. But, by social experience, social traditions, and otherwise, we have made some differentiation, as you so well know.

The police do not come in and break up a little poker game in a hotel room. What we are trying to get at is the commercial racketeer, who is taking a 600-to-1 shot from a lot of these people who lay out their money, where one in a blue moon will win. We cannot make any distinction as between one kind of gambling and another kind of gambling insofar as legislative language goes. You cannot stamp with legality one kind of gambling and say that that is social gambling, and then stamp with illegality commercial gambling, so far as the law is concerned, for the simple reason that there is no way of taking the gambling language and fashioning it in that way and still have any law left. That is a matter for administration. It has worked out everywhere else and we have to have this language if we are going to get at these commercial racketeers, who stay outside of the District of Columbia and send these nit-wits in to run the game. We have to get them and we have to have teeth in the law, and that is all this bill proposes to do, by modification of existing District law.

There is one other thing in the bill, and that provides for the destruction of gambling property if and when found. At the present time under the law you cannot destroy it. You can go in and raid a place and pick up some gambling paraphernalia, but unless you have seized the person and have obtained a conviction you cannot under existing law destroy the gambling paraphernalia. This law says that in the discretion of the court it may be destroyed. There is a good reason for that. They go out and grab up a lot of gambling tables, and they have to stick them into storage, and they have to pay storage on it. It cannot be destroyed. They have not seized anybody, they have not convicted anybody.

This bill proposes that if a machine is a gambling device, and it is illegal per se, that there be no necessity for arresting anybody or convicting anybody, but it may be destroyed within the discretion of the court. That is all this bill does, and I commend it to you. I think it is a good bill.

The reason the bill is here is something of an outgrowth of the so-called crime investigation that we had in 1935. I served on that subcommittee under the able chairmanship of my friend from West Virginia [Mr. RANDOLPH]. We have a volume of hearings here about 2 inches thick. We went

from A to Z into this crime situation in Washington, and then we began to criticize the authorities for not enforcing the law; and they came back at us and said, "If you want commercial gambling and racketeering eliminated from the District of Columbia you have got to give us legislation, you have got to give us a law with teeth in it." The answer is that here is the bill.

We are going to try to implement the law a little bit and then put the onus on them and say, "All right, we gave you the legislation, now you give us some results." That is the reason the bill is here. You gentlemen heard quotations that might have been made from the crime survey and from the testimony of Leslie Garnett when he was district attorney and reasons that he might have ascribed or reasons that he might have given before the committee for the pending legislation. Notwithstanding all of that, just take this bill for what the language says, and nothing more. I say if you do and if you pass it, you will have a good bill, and they are not going to bother somebody who happens to have a couple of sweepstakes tickets in his pocket.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. PALMISANO. Mr. Speaker, I yield the gentleman 2 minutes more.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. O'MALLEY. I will not say anything more about the sweepstakes, because I do not want to embarrass anyone in this body, but the gentleman has indicated that this is the same law regarding search and seizure that is in every State.

Mr. DIRKSEN. Information and belief.

Mr. O'MALLEY. Does the gentleman know of any State in the Union where a warrant can be obtained on the following basis:

That the affiant believes and has good cause to believe.

In other words, that the affiant believes that he believes that something goes on. Does he know of any State where a warrant can be obtained under such language?

Mr. COLE of New York. Mr. Speaker, if the gentleman will permit, that very situation is in existence in the laws of the District of Columbia.

Mr. DIRKSEN. Yes; that is the language in the law at the present time.

Mr. O'MALLEY. What other States?

Mr. DIRKSEN. My State and the gentleman's State.

Mr. O'MALLEY. Oh, I contradict the gentleman there. The search and seizure process is in the constitution of my State.

Mr. DIRKSEN. I know that it is illegal to make a wager, but I will bet the gentleman a dollar that it is in the laws of the State of Wisconsin.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. KELLER. I want to know whether this condition, which the chairman said we put under the law, and which the chairman said he got through last year, improved here or not.

Mr. DIRKSEN. The chairman of the committee was reading from testimony that was offered before the crime committee and from statements that Mr. Garnett made at that time.

Mr. KELLER. He made the statement that he drew a bill and I want to know whether this condition has improved any under that bill or has gotten worse.

Mr. DIRKSEN. We did not have any improvement in the legislation at that time. The gentleman did not mean to indicate that there was any change heretofore in the substantive law.

Mr. PALMISANO. I think the gentleman must refer to the law about women on the streets.

Mr. DIRKSEN. Is that what the gentleman has in mind?

Mr. KELLER. Oh, no. I want to know about the gambling that is going on.

Mr. DIRKSEN. We have been all this time trying to get this bill before the House. It is for the purpose of putting some teeth into the law so that we can improve the situation.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. O'MALLEY. Can the gentleman explain to the House how it is that only within the last year have the police and law-enforcement authorities of this District discovered that gambling is going on to such a great extent?

Mr. DIRKSEN. They did not discover it last year, they have known it for quite some time, but Lieutenant Little of the vice squad came before our committee and said, "I have no authority to seize these people." You run head on into a Supreme Court decision which says that the lottery ticket is the evidence of gambling, not the copy that the numbers runner carries, the man who is the agent of the banker and the taker in the lottery.

Mr. O'MALLEY. Does the gentleman mean to say that when the police discover these despicable characters in the District of Columbia they cannot throw them into jail for 90 days on a vagrancy charge or run them out of the District?

Mr. DIRKSEN. Law-enforcement officials of the District of Columbia say that this law is absolutely necessary before they can get the real parties in interest. That is the whole case in a nutshell. I hope no red herrings will be drawn across the trail to create confusion.

[Here the gavel fell.]

Mr. PALMISANO. Mr. Speaker, I yield 6 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, I may say that I had not intended to speak upon the pending measure except that my name has been mentioned several times in connection with a subcommittee which 3 years ago, approximately, held exhaustive hearings in connection with crime conditions, and particularly law-enforcement agencies in the District of Columbia. This measure, as it comes to us today, is at least partly an outgrowth of conditions which were explained to the special committee at that time.

During the first session of the Seventy-fifth Congress the Senate unanimously passed a measure similar to that which we have before us for consideration today, and in this connection it might be well to read certain excerpts from the Senate committee report at the time the measure was pending in the other body.

The purpose of this bill—

Said the Senate report—

is to strengthen the existing laws relating to gambling in the District of Columbia. Attempts to enforce the present laws have shown the difficulty, indeed the impossibility, in securing not only convictions, but also indictments under charges of violation of the various provisions of the District Code, due to the unwillingness and refusal of those found and arrested in gambling establishments to admit their participation in betting or gambling or of observing the operation of gambling devices or placing of bets in such places.

The gentleman from Illinois, a distinguished Member of the House, has given a great deal of time and thought to this matter. He spoke of permission granted by the bill to destroy gambling equipment seized in these raids, within the discretion of the court. Heretofore these devices have had to be held pending some action and the District of Columbia has paid out huge sums of money for their storage. To continue with the report of the Senate committee, I read the following:

During the last few years and long since the existing law was enacted a new gambling game or device called "numbers" has sprung up and is now flourishing in the District of Columbia. It is said that the principals carrying on this game realize about \$3,000 per day on their operations. The amounts which may be played range from 1 to 50 cents. It is reported that this numbers game makes a special appeal to those of little means—porters, messengers, domestic servants, and the like; particularly is there an allurements to the young and immature; school children in considerable numbers invest in the slips which represent chances in securing the prize money. The chance of winning is, so we are informed, 1 to 1,000; the winning number pays about \$25 to \$30 on a 5-cent chance.

I do not care to read further from the report, but simply say to the Members of the House this afternoon that this measure comes before them with the almost unanimous approval of the House Committee on the District of Columbia, following the reporting of the bill to the full committee by the special subcommittee headed by the gentleman from Mississippi [Mr. McGehee], which subcommittee held hearings on the measure.

We might as well face the facts this afternoon that we are never going to curb this or any other type of gambling which leads to a bad criminal condition in the District of Columbia if we, as Members of Congress, are going to be afraid of some means by which the law might attach itself to us, and I trust that the Members of the Congress of the United States this afternoon will speedily pass this measure and give to the enforcement agencies of the District of Columbia the so-called teeth for which they have asked to bring about a stoppage of this condition in the District.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. SHAFER of Michigan. The gentleman remembers that, with the exception of one member, the entire membership of the Committee on the District of Columbia voted to report this bill favorably.

Mr. RANDOLPH. That is true, I may say to the gentleman from Michigan; and I say it in all deference to the gentleman from Maryland, the distinguished chairman of our committee, who I know feels very deeply on this subject. I feel just as deeply on the opposite side of the question which is now before us.

Mr. PALMISANO. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I want to reply to the statement just made by the gentleman from West Virginia. He stated that the members of the committee, with the exception of myself, reported this bill unanimously. However, may I say that several members did not vote. I made my explanation to the Members of the House to give my reasons why I opposed this bill, and I oppose it because of that one special provision.

Since the gentleman from Illinois [Mr. DIRKSEN] spoke about this being a 600-to-1 shot, I may give another reason why I oppose this bill. We had a witness before our committee in 1934, and the gentleman from Illinois asked him whether he believed in a 600-to-1 shot. In the presence of police authorities and enforcement authorities in the District of Columbia this man made the remark that it was not a 600-to-1 shot. He stated further he was a numbers writer, that his boss was losing money, and he explained the expenses that his boss was put to. Included in these expenses was \$20 a month for police protection. To my surprise there was not a police officer, Lieutenant Little or anyone else, who denied that statement. If that statement was not true, they should have grabbed that fellow and had him arrested and locked up. They should have had him before the grand jury and made him tell who his boss was who was giving graft to the police authorities.

I have always been against this particular provision of the bill.

[Here the gavel fell.]

Mr. PALMISANO. Mr. Speaker, I yield myself 3 additional minutes.

Mr. RANDOLPH. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. May I say again I have a high regard for the gentleman's sincerity in connection with the one point he brought out? The gentleman just said that we have not been able to reach the so-called higher-ups in the numbers game in the District of Columbia. That is the real reason why the law-enforcement agencies of the District have come before our committee and asked that we pass this measure and that we put teeth in the law, so that they can

bring about the conviction of the so-called higher-ups in gambling in the District of Columbia.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Maryland.

Mr. KENNEDY of Maryland. Is that not what was stated before the entire committee the other day at a hearing upon this particular measure? In other words, did not the police authorities state they were powerless to carry out the complaint which the chairman of the committee makes?

Mr. RANDOLPH. That is true.

Mr. COLE of New York. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from New York.

Mr. COLE of New York. The gentleman has expressed considerable concern over this so-called information warrant. Is it not true that information warrants are now used in order to apprehend illegal gambling apparatus and that this amendment only enlarges that clause?

Mr. PALMISANO. I may say in response to the gentleman from New York that his statement is correct. They have a provision in there which pertains to counterfeit money, burglary, and so forth. I stated that I could readily see why we might stretch a point and give the police authorities perhaps some little unlawful authority, if you please, in order to catch that class of criminals. But when it comes down to the 5-cent numbers racket I think they are going too far. I was in favor of drawing a special bill for the so-called numbers racket without that provision.

Mr. COLE of New York. It is true that information warrants are now obtainable under existing law?

Mr. PALMISANO. Yes; but that does not change the Constitution.

Mr. COCHRAN. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Missouri.

Mr. COCHRAN. Has the gentleman defined the committee amendment on page 2, starting with line 21, and also section 863? As I read the two provisions, it seems to me the purchaser of a numbers slip, if it is found in his or her pocket, under those provisions of the bill would be subject to the same penalty as the person who was running the racket.

Mr. PALMISANO. I may say in Baltimore when they tried to break up the racket some time ago, a nickel writer was held on a \$25,000 bail.

Mr. COCHRAN. That is not answering the question I asked the gentleman. I asked whether or not the purchaser of a ticket would be subject to the same penalty as the individual who was conducting the racket?

Mr. PALMISANO. Yes.

Mr. COCHRAN. It seems to me that is going very far. I would like to see proper legislation that will stop the racket but this appears to me to be a joker.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Maryland.

Mr. KENNEDY of Maryland. Is it not true that in Baltimore we had one of the worst police scandals in years and anyone acquainted with the situation knows fully well the head of the numbers racket was killed after being taken for a ride?

Mr. PALMISANO. Under that bill possession was considered a crime. I am afraid you will put a number of the police officials in the District of Columbia in the same class as those you are talking about over in Baltimore.

Mr. COCHRAN. Would it not be advisable, if we have that kind of people on the police force, and I do not admit we have, to get rid of them?

Mr. PALMISANO. Yes.

Mr. COCHRAN. The bill may do some good in that respect.

Mr. PALMISANO. Yes.

Mr. POWERS. Does not the gentleman think we are spending a lot of time on people here who are buying 5-cent numbers tickets when every newspaper in the country is giving free advertising to the Irish sweepstakes?

Mr. PALMISANO. Yes; that is right.

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. PALMISANO. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. How much time is the police of the District of Columbia spending on this numbers racket?

Mr. PALMISANO. I understand they have a squad consisting of 16 or 17 police officers.

Mr. LEWIS of Colorado. Sixteen or 17 and they ask now to have this law strengthened; is that correct?

Mr. PALMISANO. That is right.

Mr. LEWIS of Colorado. Do the laws in regard to burglary, rape, and highway robbery need strengthening, or are they now sufficiently strong?

Mr. PALMISANO. They are.

Mr. LEWIS of Colorado. Why do not the officials of the District of Columbia spend more time in guarding the public against those major crimes and in apprehending the perpetrators instead of trying to pick up some poor fellow who is so foolish as to wager a nickel or a quarter on a numbers chance? That is what I would like to know.

Mr. PALMISANO. I understand that has been a problem in the District, and a considerable number of criminals have not been apprehended.

Mr. SPEAKER. I move the previous question on the bill and amendments.

The previous question was ordered.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GROUP HEALTH ASSOCIATION, INC.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, on March 17 and again on March 22 the House graciously permitted me to present certain information about a controversy which has developed between the Group Health Association, Inc., and the Medical Society of the District of Columbia involving on the one hand approximately 2,600 Federal employees and their dependents and physicians and on the other hand officers and members of the medical society. Included in the controversy is the question whether members of the Group Health Association and the physicians of their choice have the right to use the hospitals of the District of Columbia or call into consultation physicians who are members of the Medical Society of the District, and, generally whether the members of the Group Health Association can conduct their activities without the destructive interference of officers and members of the medical society.

In the course of my remarks on both occasions I made statements which reflect seriously upon the behavior of leading representatives of the Medical Society of the District of Columbia, and, if adequately verified, make clear that in their conduct toward the members of Group Health Association they have acted harshly, unjustly, and against sound public policy.

Under date of March 23, Dr. Francis X. McGovern, acting as chairman of the public relations committee of the District Medical Society, wrote me a letter which was received in my office on March 24, when I was out of the city, in which he alleges that one element of one of the statements cut of the many statements made by me before the House was grossly untrue. Before my return to Washington and before I had an opportunity to read his letter, Dr. McGov-

ern gave copies of it to the newspapers. After reading the newspaper accounts of Dr. McGovern's letter, and subsequently the letter itself, I gave public notice that the allegations of Dr. McGovern, representing the Medical Society of the District, together with all the other allegations which have been made concerning the treatment of members and employees of the Group Health Association, should be fully investigated by an impartial body qualified to determine and appraise the facts and to represent the public in dealing with them.

Accordingly, with your permission, I shall present a resolution calling for an investigation by a select committee of the House, which shall be empowered to take testimony under oath and to subpoena witnesses who possess information which the House may find useful in dealing with this important matter.

It is encouraging to learn of a statement which appeared in the newspapers last Saturday night, in which it is reported that Dr. McGovern, in his capacity as chairman of the public relations committee of the District Medical Society, stated:

The Medical Society heartily welcomes any investigation that any committee of Congress may choose to make.

The society will furnish the committee with every fact and with all information at its command, and will cooperate wholeheartedly and in every possible way.

The Medical Society has nothing whatsoever to conceal. On the contrary, it is happy at the opportunity of bringing to light any facts which otherwise might escape the public notice.

The society has been governed in all of its activities by only one consideration—the public interest.

Before presenting a resolution authorizing an investigation, I desire to submit several statements in addition to those already reported concerning the activities of the officers and members of the Medical Society of the District of Columbia, so that these, as well as others now before the House, may be dealt with by an investigating committee.

One of the first serious cases with which physicians employed by Group Health Association had to deal involved contusions and compound fractures as a result of an automobile accident suffered by one of the association's members. The member was taken in an unconscious condition to one of the local hospitals. A Group Health physician was permitted to see the patient on the night of the injury, but when it became apparent that he desired to use operative means in treating the fractures he was informed by the hospital superintendent that an operation had not been anticipated by them. Finally, he was permitted to operate, with results so commendable that he was congratulated by physicians on the hospital staff. Although the Group Health doctor was permitted to continue treating the case until it was discharged from the hospital, he was advised that he could not bring another case to the hospital until given specific permission to do so, which permission has never been granted.

Another patient was found by her landlady in an unconscious condition on the floor of her bathroom. A neighboring doctor was immediately called. Upon regaining consciousness the patient asked for the services of one of the doctors employed by the Group Health Association. On this occasion Dr. Allan E. Lee was called. Upon his arrival, after an examination, he determined that an emergency operation was immediately necessary. He ordered the patient sent to one of the local hospitals. Since the surgeon employed by the Group Health Association had not been extended courtesy privileges at the hospital, it became necessary to arrange for the employment of a local physician who enjoyed courtesy privileges at the hospital to perform the operation. The surgeon employed promptly visited the patient in her room at the hospital upon her arrival there. It was understood by Dr. Lee that the surgeon would make all necessary arrangements for the operating room, anesthesia, and so forth, and would proceed with an emergency operation. An hour or two later, when Dr. Lee arrived at the hospital, he was met in the corridor by the surgeon employed to operate, who at that time was in the company of several other doctors. The surgeon in a loud voice stated to Dr. Lee that he understood the

patient was entered in the hospital as a patient of Group Health Association, and that if that were true he could not touch her, as it would put him in a bad spot. Dr. Lee attempted to explain to the surgeon that the case was an emergency one and that time was an important factor in its successful handling. It was not, however, until Dr. Lee emphatically assured the surgeon, not only of his own membership in the District Medical Society but also of his membership on the courtesy staff of the hospital, and that because of his own courtesy privileges he had entered the patient as a private patient of his, that the surgeon was induced to perform the operation. Fortunately, in spite of the delay, the operation was successful, and the patient, after a protracted period of recuperation, recovered and was able to resume work.

Let me present another incident. A member of the Group Health Association who had taken out a family membership—that is, a membership which permits treatment of dependents—had included in the list of dependents her husband and two children, aged 6 and 9, respectively. Also dependent upon her and living in the same house were a father-in-law and mother-in-law.

These were not listed as her dependents because of her belief that they were not eligible for treatment as dependents, notwithstanding the fact that her husband had for a long time been out of work and had only recently obtained a position as a commission salesman. His commissions were inconsequential, and it therefore took her entire salary to provide the bare necessities of life. A physician who had previously attended the family asked if she was a member of Group Health Association. When told that she was he informed her that so long as she had anything whatever to do with the association he would refuse to answer any sick calls at her home. This meant that her father-in-law and mother-in-law, whom she had not included as dependents, were without medical care unless she resigned from Group Health Association.

In my statement to the House last week I referred to the case of Dr. Allan E. Lee, and reported that due to pressure from the local medical society he was forced to resign from the Group Health Association, whereupon he was immediately restored to good standing in the District Medical Society. You will be interested in certain additional facts concerning this case. While still a member in good standing with the District Medical Society he was notified by a hospital in which he enjoyed courtesy privileges that since he was no longer a member of the District Medical Society these privileges would no longer be available to him. When Dr. Thomas Neill, president of the District Medical Society, was consulted it was learned that Dr. Lee was still a member in good standing in the society, and Dr. Neill requested that the hospital be so informed. When the hospital was consulted it was learned that they had acted upon a rumor and that they were reinstating Dr. Lee to full courtesy privileges. Later, when it became known that Dr. Lee was a physician employed by Group Health Association, he was confronted with charges of violating the constitution and bylaws of the District Medical Society and notified that unless he resigned from the Group Health Association he would be expelled from the society. Dr. Lee informed the medical society that he had carefully considered the matter before joining Group Health Association, that he was in full sympathy with its purposes, and that he intended to retain his position in the Group Health Association.

Later, however, he was made guest of honor at a dinner given by a group of physicians, all of whom were members of the medical society. Following the dinner he was bombarded and cajoled until 3 o'clock in the morning, and was placed under such pressure by his associates that he concluded that professional work with the Group Health Association under conditions imposed by the medical society and its members would be unbearable. Before he left the hotel at which he was the guest of the members of the medical society he had promised to resign, and formally did resign before the end of the day. Dr. Lee reported to the presi-

dent of the Group Health Association that no one would know the extent to which he had been tormented by his brother members of the medical society, and that so long as he retained his position in the Group Health Association he was not only persona non grata with the members of the District Medical Society but virtually ostracized by his personal friends and professional associates.

I referred also in my statement to the House last week to the fact that Dr. Selders, the surgeon employed by Group Health Association, had received notice that he was about to be expelled from the Harris County Medical Society of Houston, Tex. A friend of his, who is a leading physician in Houston, has written that he hopes Dr. Selders will come out on top when the case is considered by the medical society on Wednesday, March 30. In his letter, the physician stated that the Harris County Medical Society has a fairly large group of men engaged in contract practice for the railroads, refineries, insurance companies, United States Government, and other employers and groups of citizens. In his letter he listed a large number of local physicians who enjoy not only local but national prominence, some of whom are officers of State or local medical societies and each of whom is now engaged in salaried or contract practice.

In spite of this and as shown by correspondence, under pressure from the Medical Society of the District of Columbia, Dr. Selders is threatened by his local Texas society with the same fate that befell Dr. Scandifio in his expulsion from the Medical Society of the District of Columbia.

It must be clear from the limited information given in the time available that the officers and members of the District Medical Society have subjected the physicians of the Group Health Association to severe embarrassment and mental torture. As you no doubt have surmised, they are not alone in this action. They have been aided and abetted by officers and members of the American Medical Association, who are guilty of disseminating false and misleading information about the purposes and activities of the Group Health Association, and by officers and members of State and local District medical societies who have joined with officers and members of the American Medical Association in seeking to make it impossible for members of Group Health Association to employ the services of their own physicians or to enjoy customary hospital facilities.

As evidence that the hostility of certain members of the medical fraternity had not been confined to local representatives of the District Medical Society and has not been confined to attacks upon Group Health Association alone, let me give you some additional facts. No sooner had the local Group Health Association become active than a committee of the District Medical Society went to Chicago—the national headquarters of the American Medical Association—to enlist the support of that body. From then on the American Medical Association has kept up a continuous barrage of attack supported by petitions, resolutions, and personal influence from representatives of State and local medical societies. The American Medical Association has spread insidious, false, and harmful propaganda against Group Health Association and has also intensified its attack, which has been going on for several years, upon cooperative and other mutual organizations of similar character in other parts of the United States. Some of these which were newly organized have been unable to get under way while others, which have been in successful operation for years, have suffered new indignities.

In St. Louis, a group of doctors who have been giving fine service to the Wage Earners Health Association have been notified that they will be ousted from the local medical society at the first possible opportunity. Here the fight has gone so far that there is a movement attacking the members of the staff of the Missouri Pacific Railroad Hospital.

In Milwaukee, Wis., the members of the Milwaukee Medical Center, a group of doctors who have had the finest reputation in their community, have served on the staffs of leading hospitals and have even been members of the teaching staffs of medical institutions, have been ousted from the

local medical society on the ground of contract practice and behavior contrary to the public good.

In Akron, Ohio, where plans have been under way for the establishment of a large voluntary health association, using the unions as a backbone, the medical society has frankly stated to the organizing committee that if such an association was formed, the medical society would see to it that the hospitals denied their accommodations to patients who were members of the association.

In San Diego, Calif., the doctors who have been serving the San Diego Beneficial Society for about 5 years suddenly find themselves confronted with threats of being ousted from the local medical society.

The Voluntary Health Association of San Francisco, which by city charter provides medical and hospital service for nearly 9,000 municipal employees and their dependents, is finding it impossible to get into operation because the county society has notified the organization committee that it would oust any doctor whom they would employ.

In Little Rock, Ark., a group of physicians who have been practicing what is known as group practice and have also had a prepayment plan, deliberately resigned from the medical society rather than be kicked out.

It has become apparent here in Washington, as I have pointed out, that a group of doctors who are at present in control of the District Medical Society and, through that society in control of our local hospitals, are using their position to keep qualified physicians out of the hospitals and to prevent citizens who are sick from employing physicians of their own choice when they require hospitalization. Within the past few days the trustees of several of our leading hospitals have admitted that, although they have not abdicated, they are powerless to enforce their own judgment as to the administration of hospitals when their judgment runs contrary to that of their medical staffs.

I am informed that trustees of several hospitals have expressed willingness to open their hospitals to members of the Group Health Association and to physicians employed by Group Health Association; but in view of the attitude of the members of their medical staffs, they are utterly unable to make any provision which would admit Group Health members in the care of their Group Health physicians. These trustees have been clear that unless the hospitals act in unison in admitting members and physicians of Group Health Association, the physicians holding membership in the District Medical Society would boycott the individual hospitals and take from them the revenue they need to keep going.

It is quite evident from information furnished to me that the doctors on the medical staffs of our hospitals maintain a control over our hospitals which makes their trustees in matters of the character with which we are here concerned comparatively helpless. Medical staffs in our local hospitals are able to prevent doctors not favored by them or disapproved by other members of the District Medical Society from using the hospitals. Thereby they impose restrictions upon patients requiring hospitalization which appear to be in conflict with the public interest.

It is high time that Members of Congress have before them the facts which have been developed out of the present controversy, so that we may deal both with problems of hospitalization and of medical care in such a way as to assure Federal employees and other residents of Washington the use of the hospitals and the free employment of physicians of their choice to the full extent of their resources and without discrimination.

Has it after all come to this, that a group of citizens are unable to join together in the employment of a group of doctors without experiencing severe limitations in the use of hospital facilities, and without incurring the ruthless opposition of representatives of the Medical Society of the District who temporarily are in control? Is it possible that the public, which supports both doctors and hospitals, has no voice in establishing justice and fair dealing? Are Federal employees to be subjected to the autocratic, domineering, inhuman discrimination which I have described purely because

they desire to enjoy the benefits of a mutual, cooperative association through which they can employ physicians to attend them?

It is an amazing spectacle in the year 1938 to witness the efforts of a group of physicians here in Washington and in other cities of the United States, who are determined to check the course of progress toward a more humane, comprehensive, and efficient service in dealing with sickness and the prevention of disease. Officers of the Group Health Association report that there are more than 40 cases involving their members or dependents which now require hospitalization, but that hospitalization for all of these cases, which are classed as elective surgery, is deferred until the members can be assured of admission to the hospitals for treatment by doctors of their own choice.

Because the situation is one of national as well as local concern, involving as it does the health and welfare of citizens of low income who require adequate medical attention and the cooperation of physicians and hospitals enjoying, in a sense, a public franchise, and because the controversy that has developed requires immediate attention, I have offered today a resolution authorizing the appointment of a committee to investigate the controversy between the Group Health Association and the Medical Society of the District of Columbia.

EXTENSION OF REMARKS

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article on Social and Economic Implications by S. Howard Evans.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MILITARY ESTABLISHMENT APPROPRIATION BILL, 1939

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9995) making appropriations for the Military Establishment for the fiscal year ending June 30, 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9995, with Mr. LUTHER A. JOHNSON in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

SALARIES, WAR DEPARTMENT

For compensation for personal services in the District of Columbia, as follows:

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is the first bill brought before the House by the Committee on Appropriations in the last 10 years, that I can recall, where the amount that can be spent under the bill exceeds the amount of the Budget estimate. Under the provisions of this bill as a result of contract obligations and reappropriations that have been made there can be spent \$2,360,396 more than the Budget estimate. Some estimates have been reduced and some reappropriations have been made, but the net result is that there can be spent on the passage of this bill, if it goes along as it is, \$2,360,396 more than the Budget estimate. Unless a procedure of this kind is absolutely necessary for national defense we should not follow it.

I am going to ask some questions of the chairman of the subcommittee as we go along and shall ask him to give reasons for the increases. I am going to ask him one question right now, while I am on this subject, because the matter about which I wish to ask occurs in the next paragraph. For instance, there is allowed an increase of \$9,900 over last year in the salary item of the office of the Secretary of War. I should like to have the chairman of the subcommittee give some reason for adding this \$9,900 to the salary

item. Frankly, I do not believe the duties in that office have increased to the extent an increase in salary is required. I should like to see the chairman of the subcommittee justify this increase, if he can.

Mr. SNYDER of Pennsylvania. Mr. Chairman, in answer to the gentleman from New York, I call the attention of the Committee to the following justification. One item of that increase is \$1,800 for one stenotype operator. Then, there are three clerks at \$1,440 each, and reallocations to the extent of \$3,480, less reductions on account of lapses of \$1,300, or a total of \$9,900. On page 649 of the hearings you will find the justification for all of the items.

[Here the gavel fell.]

The Clerk read as follows:

PAY OF THE ARMY

For pay of not to exceed an average of 12,300 commissioned officers, \$34,331,943; pay of officers, National Guard, \$100; pay of warrant officers, \$1,371,836; aviation increase to commissioned and warrant officers of the Army, including not to exceed five medical officers, \$2,419,037, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, \$10,275,191; pay of an average of not to exceed 165,000 enlisted men of the line and staff, not including the Philippine Scouts, \$68,008,504; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$660,128; pay of enlisted men of the Philippine Scouts, \$1,050,447; additional pay for length of service to enlisted men, \$5,437,353; pay of the officers on the retired list, \$13,123,676; increased pay to not to exceed seven retired officers on active duty, \$8,213; pay of retired enlisted men, \$13,725,080; pay not to exceed 60 civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$72,000; pay and allowances of contract surgeons, \$42,276; pay of nurses, \$949,720; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,688,780; subsistence allowances, \$6,607,216; interest on soldiers' deposits, \$45,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$165,316,700; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1939, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That no part of this or any other appropriation contained in this act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status on July 1, 1937, under appropriations for the War Department, nor for the pay of any such person beyond the period of enlistment or termination of employment, but nothing herein shall be construed as applying to instructors of foreign languages at the Military Academy, or to Filipinos in the Army Transport Service, or to persons employed outside of the continental limits of the United States except enlisted men of the Regular Army, other than Philippine Scouts, upon expiration of enlistment and this provision shall be subject to the provisions of the act entitled "An act for the protection of certain enlisted men of the Army", approved August 19, 1937: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to call attention to the fact that this item on page 11 of the bill of \$165,316,700 is \$3,490,576 above last year's figures.

I wonder if the gentleman from Pennsylvania can give us any justification for this figure, and if he can tell us any reason we should have an increase of three and a half million dollars on this particular item. I do not understand it calls for additional personnel, but largely for increased operating expenses. I wish the gentleman would explain this item somewhat.

Mr. SNYDER of Pennsylvania. Mr. Chairman, on page 8 of the report, under "Pay of the Army" under the head of

"Finance Department" will be found what I believe to be sufficient justification for the increase of \$3,490,576.

The personnel upon which the estimate is based is detailed at page 113 of the hearings. The major portion of the increase covers the following items: 50 second lieutenants, \$81,000; provision for pay for a full year for the increase of 75 first lieutenants of the Medical and Dental Corps for whom 9 months' pay was provided in 1938, \$37,500; additional grades and ratings, \$644,415; subsistence allowances, officers, \$425,231; allowance for quarters for enlisted men on duty where public quarters are not available, \$302,220; longevity pay, enlisted men, \$266,885; longevity pay, officers and warrant officers, \$664,596—

Mr. TABER. May I ask the gentleman this question? I realize they are the items involved, but I do not see why these things should be piling up on us every year without any substantial increase in personnel. We have an increase here of \$500 apiece for these first lieutenants and you have an increase here for 50 second lieutenants amounting to \$81,000. This means almost \$2,000 apiece, and it does seem to me as if this whole thing is altogether out of line.

Mr. SNYDER of Pennsylvania. I may say to the gentleman from New York that we provided last year for their pay for only a portion of the year, while this appropriation is for the entire year.

Of course, this committee has not anything to do with setting up the pay laws. They are set up by the Congress and all we can do is to comply with the pay laws in existence and provide the money to fill the different requirements. In other words, this entire additional amount of \$3,490,576 may be said to be responsive to pay laws set up by the Congress itself for the Army.

Mr. TABER. Are they not increasing the number in the higher grades more rapidly than the percentage limits permit?

Mr. SNYDER of Pennsylvania. No; that would not be lawful. As the gentleman knows, seniority obtains in the Army. In the Navy we have the selection system. In the Army advancement depends upon attrition incident to what I may term "normal causes" and does not come through vacancies created in order to accelerate promotion.

The Clerk read as follows:

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Mr. FADDIS. Mr. Chairman, I make a point of order against the language contained in lines 12 to 22, inclusive, on page 13, that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FADDIS. I do not believe that is necessary, Mr. Chairman. This does not decrease any appropriation and does not provide for a decrease in personnel or anything of that kind, and is purely legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. SNYDER] desire to be heard on the point of order?

Mr. SNYDER of Pennsylvania. Mr. Chairman, I believe this is just a straight-out limitation, and I do not believe it comes within the provision referred to.

The CHAIRMAN. What about the last proviso in the last three or four lines of the paragraph:

That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War?

Mr. SNYDER of Pennsylvania. I may say to the Chair that that does not give any more authority than now exists. It just accepts the authority now existing.

The CHAIRMAN. Then, under existing law, why is it necessary to have that provision?

Mr. TABER. Mr. Chairman, it would seem to me that that proviso is clearly a part of the limitation above, because it simply excepts an officer publishing something already permitted by regulations of the Secretary of War. The language is clearly a limitation on an appropriation bill. There is no attempt at legislation, no additional duties required of any officer, or anything of that kind.

Mr. SMITH of Connecticut. Mr. Chairman, will the gentleman from Pennsylvania yield?

Mr. SNYDER of Pennsylvania. Yes.

Mr. SMITH of Connecticut. Does this entire language appear in the present appropriation act?

Mr. SNYDER of Pennsylvania. It does.

Mr. SMITH of Connecticut. Is that proviso new language?

Mr. SNYDER of Pennsylvania. No.

The CHAIRMAN. The Chair is of opinion that the explanation made by the gentleman from New York [Mr. TABER] is correct; that the last proviso is simply an exception from the limitation, and the Chair, therefore, overrules the point of order and holds that the paragraph is a proper limitation.

Mr. ENGEL. Mr. Chairman, the testimony on page 124 of the committee hearings shows that the average pay of the enlisted man in the Army last year was \$437.29 a year while the average pay of the enlisted man in the Navy was \$826.81 a year. In other words, the enlisted man in the Navy received an average of \$391.52 a year more than the average enlisted man in the Army received.

The record further shows that last year the United States paid 162,000 enlisted men in the Army \$70,842,311.96 while during the same year we paid 107,785 enlisted men in the Navy \$89,118,089. The record shows that we paid 107,785 enlisted men in the Navy nearly \$19,000,000 more than we paid 162,000 enlisted men in the Army. If we had paid the enlisted men in the Navy at the same rate per man that the enlisted man in the Army received, the enlisted pay roll of the Navy would have been \$47,102,045 instead of \$89,118,089, or the Government could have reduced the Budget and made a saving of \$42,016,044.

To me it seems an absolute injustice to pay the enlisted personnel of one branch of our national defense nearly twice the amount that the enlisted personnel of the other branch receives.

I am making this observation particularly in view of the increased naval appropriation bill passed by the House within the last few days.

The Clerk read as follows:

MILITARY POSTS

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; to remain available until expended and to be applied as follows: For work authorized by the act approved May 14, 1937 (50 Stat. 103): At Savanna Ordnance Depot, Ill., \$341,137; at Camp Stanley, Tex., \$218,118; for work authorized by the act of August 12, 1935 (49 Stat. 610-611): At Hickam Field, Hawaii, \$786,000; navigation aids at various stations, \$270,025; housing and technical facilities, Air Corps intermediate station, Connellsville, Pa., \$50,000; and runway at Hamilton Field, Calif., \$350,000; for work authorized by the act of August 26, 1937 (50 Stat. 857-862): At Fort Benning, Ga., including an additional amount for the completion of the water-system project, \$450,000; Chanute Field, Ill., \$1,500,000; Fort Clayton, Canal Zone, \$650,000; Air Corps Technical School, Denver, Colo., \$1,385,000; Fort Knox, Ky., \$850,000; Fort Monroe, Va., \$81,500; Panama Canal Zone, \$328,000; Schofield Barracks, Hawaii, \$785,100; Fort Barrancas, Fla., \$87,000; and Army and Navy General Hospital, Hot Springs, Ark., \$35,000; in all, \$8,166,880: *Provided*, That contracts are hereby authorized to be entered into and obligations otherwise incurred in excess of the preceding stipulated amounts, as follows: Chanute

Field, Ill., \$575,000; Fort Clayton, Canal Zone, \$178,000; Air Corps Technical School, Denver, Colo., \$150,000; and Fort Knox, Ky., \$187,200.

Mr. TABER. Mr. Chairman, I make the point of order against the language, beginning with the word "housing," in line 24, page 26, and ending with the figures "\$50,000" on page 27, line 1:

Housing and technical facilities, Air Corps intermediate station, Connellsville, Pa., \$50,000.

I do this because it is not authorized by law.

Mr. SNYDER of Pennsylvania. Mr. Chairman, the item is not subject to the point of order because clause 7 of section 1 of the act of August 12, 1935, specifically provides for such intermediate stations as will provide for transcontinental movements incident to the concentration of the general headquarters, Air Force, for maneuvers. The Connellsville airport has been approved by the Secretary of War as an intermediate landing field, and, if the Chair desires more than my word for it, I should be glad to hand him a letter I have received from General Craig, the Chief of Staff, advising me of such action.

The CHAIRMAN. The Chair asks the gentleman to send that letter to the desk. Does the gentleman from New York care to be heard further?

Mr. TABER. I do. There is nothing to indicate anywhere in the letter that the Secretary of War has filed that he has given attention to the consideration of four requirements set forth in section 1 of the bill to which the gentleman refers. There are four requirements, and in order to bring any one of these stations under the act, every single one of these requirements must be met, and there is nothing in the documents available to indicate that those requirements have been met.

Mr. SNYDER of Pennsylvania. Mr. Chairman, all of the requirements that the gentleman speaks of have been met, or the Secretary of War would not have acted as indicated in the letter I have just sent to the Chair.

Mr. TABER. I suggest to the Chairman that it is absolutely necessary that the Secretary of War under a statute such as this, in order to accomplish the authorization, present a determination on his part that those requirements have been met.

Those requirements are specifically set forth, and before an authorization can be made under the act these requirements must be met and the Secretary of War must have made a finding that the requirements were met. There is nothing to indicate that.

Mr. SNYDER of Pennsylvania. Mr. Chairman, replying to the gentleman from New York, I may say that the letter I hold in my hand indicates that the Secretary of War has met the requirements of the law. The act itself provides—

That the Secretary of War is hereby authorized and directed to determine in all strategic areas of the United States, including those in Alaska and our overseas possessions and holdings, the location of such additional permanent Air Corps stations and depots as he deems essential—

And so forth. He has made the determination in this case, as is evidenced by General Craig's letter.

The CHAIRMAN (Mr. LUTHER A. JOHNSON.) The Chair is ready to rule.

The act of August 12, 1936, confers upon the Secretary of War authority to establish intermediate stations in compliance with the terms of that act. The chairman of the subcommittee has furnished the Chair with a letter dated March 22, 1938, from the War Department advising that the Secretary of War under this authority has designated Connellsville, Pa., as an intermediate station and that it had been so designated by the Secretary of War.

The gentleman from New York makes the point of order that before the Secretary of War could make such a designation he must comply with certain provisions of the act. The Chair would not be warranted in assuming that the Secretary of War disregarded the provisions of the law. Since the Secretary of War has made the designation, the Chair thinks it is proper to assume that the Secretary has

carried out the provisions of the law giving him that authority; in other words, the Chair does not think that it is necessary for the Chair to assume that the Secretary of War would violate the act. The proper assumption would be that he had complied with the law.

Mr. TABER. Mr. Chairman, it seems to me that the burden is upon the gentleman from Pennsylvania, inserting this item in the bill, to show that the Secretary of War has legally made a designation of this place as an intermediate air station in accordance with the provisions of law and that he has met the four requirements that are set forth in the statute. I do not think a mere letter from the Secretary of War stating that he has made some designation would meet the situation unless the Secretary of War set forth that he has determined that this airport complies with the four requirements outlined in the statute. Has the Chair a copy of the statute available?

The CHAIRMAN. The Chair has a copy of the act and is familiar with the act.

Mr. TABER. It would seem to me that the Secretary of War must make a finding with reference to these four requirements specifically and that evidence of it must accompany the request for an authorization.

Mr. SNYDER of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SNYDER of Pennsylvania. He did make that finding with reference to the four specific points.

Mr. TABER. But the evidence is not here to support that.

Mr. SNYDER of Pennsylvania. The letter should be sufficient evidence.

The CHAIRMAN. The Chair takes it that the evidence is in the War Department files. The Chair does not think it should be necessary to require that that evidence be sent here. When the House is advised that the Secretary of War has followed the act and has made the designation, the Chair thinks it would be unnecessary to require that the evidence be set forth. In the Chair's opinion the Chair has the right to assume that the Secretary of War has followed the provisions of law and that the records of the War Department would so show.

The point of order is overruled.

Mr. POWERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWERS: On page 26, line 19, before the word "work," insert the following: "Reconstructing at Fort Niagara, N. Y., the barracks buildings known as 50-N and 50-S which were destroyed by fire March 4, 1938, to be available immediately, \$75,000 for."

Mr. POWERS. Mr. Chairman, may I ask the gentleman from Pennsylvania if he will accept this amendment as a committee amendment? If he desires further explanation I shall be very happy to make it.

Mr. SNYDER of Pennsylvania. I accept it as a committee amendment and do not care for any further explanation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. DIMOND. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: Page 26, line 23, after the semicolon, insert "At the Alaska air base, Territory of Alaska, \$2,000,000."

Mr. DIMOND. Mr. Chairman, when the House was in session on Friday of last week I spoke at some length upon the outstanding need for the installation of some defensive military works in the Territory of Alaska. I pointed out then by a map which I presented to the committee the strategic importance of the Territory of Alaska in any sound scheme of national defense, because Alaska lies on the short line between the Orient and the United States. Any hostile foreign power in possession of the Territory would be in the best possible kind of position to make an attack upon the United States.

I further pointed out that at the present time the Territory of Alaska is absolutely undefended. We have about 300 infantry stationed at Chilkoot Barracks in the southeastern part of the Territory. That is all we have in Alaska in the way of military or naval defense, except several naval airplanes which are intermittently stationed at the town of Sitka, also in southeastern Alaska. I believe that if the Members of Congress really understood the importance of having some defenses in Alaska there would be no opposition to the proposed amendment. This matter was very fully considered by the Committee on Military Affairs of the House in 1935, prior to the time the Wilcox Act was passed. It was only after the most mature consideration that Alaska was included in that act as a base for the Army Air Corps.

Mr. DOCKWEILER. Will the gentleman yield?

Mr. DIMOND. I yield to the gentleman from California.

Mr. DOCKWEILER. The gentleman from Alaska is making a very excellent statement. May I say that the Delegate has appeared before our committee year in and year out, ever since I have been a member of the committee, in behalf of the establishment of an Army base in Alaska. As the Delegate knows, we asked a considerable number of questions of those who had charge of this particular matter with a view of persuading them of the necessity for establishing an air base in Alaska in our scheme of national defense.

I favor the gentleman's proposition to make available this year the sum of \$2,000,000 for the establishment of an air base in Alaska. We need no legislative authority for this, because the Wilcox Act, passed some few years ago, furnishes the necessary legislative authority for this expenditure. We all know of no more strategic point to set up an air base than an appropriate place in Alaska to be designated by the Air Corps of the War Department.

Mr. DIMOND. I thank the gentleman for his observation.

Mr. MICHENER. Will the gentleman yield?

Mr. DIMOND. I yield to the gentleman from Michigan.

Mr. MICHENER. Has the Secretary of War designated this base under the law?

Mr. DIMOND. Oh, I think so. That is all taken care of, according to my understanding. The Secretary of War himself has not told me that, but other information which reaches me indicates that the base has been chosen. I understand it is to be located somewhere in the vicinity of Fairbanks, Alaska. However, that is immaterial.

It is a matter to be determined by the General Staff of the Army where the base is to be located, but there is legislative authority for it now. It is contained in the Wilcox Act.

It is also my understanding that the General Staff of the Army favors the construction of this base in Alaska but, of course, the Secretary of War and the General Staff of the Army are unable to proceed until Congress appropriates the money.

May I refer here to one man who was recognized by most of us as having had extensive knowledge of military strategy, particularly with respect to the air. In fact, he was an outstanding individual in this regard.

[Here the gavel fell.]

Mr. DOCKWEILER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIMOND. Mr. Chairman, I refer to the late Gen. William D. Mitchell and I make reference to him because he had an extensive personal experience in the Territory of Alaska. He was stationed there some years ago and traveled widely throughout the Territory. I have before me a very brief quotation from his testimony before the Military Committee of the House. Discussion arose as to the line of possible attack upon the main body of the United States. Someone suggested it would come through the Panama

Canal or first in the region of the Panama Canal. General Mitchell, out of the wealth of his experience, said:

They will not attack the Panama Canal. They will come right here from Alaska.

Then further on in summing up his statement, he said:

I think it (Alaska) is the most important strategic area in the world.

That has reference to the United States, of course, because Alaska lies on the short line between the Orient and the United States. I wish to emphasize that fact. I believe everyone realizes that when an attack comes, if it does, it will come across the north Pacific Ocean, along a line more than 2,000 miles away from this great base we have built up at Pearl Harbor, which I suppose is necessary, along the coast of Alaska.

Mr. THOMASON of Texas. Will the gentleman yield?

Mr. DIMOND. I yield to the gentleman from Texas.

Mr. THOMASON of Texas. Does the Army have any air facilities there now?

Mr. DIMOND. The Army has not a thing at all in Alaska.

Mr. THOMASON of Texas. What air facilities do you have?

Mr. DIMOND. We have some commercial facilities.

Mr. THOMASON of Texas. No Army air facilities?

Mr. DIMOND. No. The Navy has a few airplanes based in southeastern Alaska.

A few days ago we sent some of our new Army bombers, called by the newspapers flying fortresses, to Argentina. This visit probably resulted from the thought that if some of the land-hungry nations of the world seek to expand in the Western Hemisphere the first attack may fall upon one of the countries of South America. It was useful to demonstrate that in case of necessity, for the support of the Monroe Doctrine, military combat aid in the air could be furnished at short notice anywhere in this hemisphere. The idea which led to the journey of the flying fortresses to Argentina and other South American countries was admirable and the performance brilliant.

And yet, thrust out toward Asia as it is, and reaching within less than 700 miles of the northernmost island of the Japanese Empire, the Territory of Alaska is in a much more exposed position to attack than is any country of South America, for all those countries are separated from any possible foe by thousands upon thousands of miles of ocean. Mr. Chairman, what was done with respect to Argentina so recently would be impossible to accomplish with regard to Alaska, for, as I stated a moment ago in answer to the question of the gentleman from Texas, there is no military air field in the entire Territory of Alaska. Nor, in my judgment, is there a single commercial airfield in the Territory that could readily accommodate ships of the size of the flying fortresses. Those airplanes could probably land in safety on several of our commercial airfields in Alaska, but I am in grave doubt whether they could get in the air again.

So if an attack should come upon Alaska, that Territory would necessarily have to be defended from the United States, and defended at a great disadvantage. How much better it would be to have such an Army air base in Alaska, as was contemplated in the passage of the Wilcox Act. A base capable of accommodating, if necessary, hundreds of military airplanes of all types, from small, fast pursuit planes to the giant bombers, such as the flying fortresses. Only a moment's reflection is required to show us how relatively easy it would be to defend Alaska from the air if such a base were constructed and accompanied by construction of other secondary fields situated in strategic areas in the Territory, and how almost impossible it would be to make any air defense of Alaska by planes operating from the main body of the United States. Under present circumstances if war comes, Alaska is bound to be lost almost overnight. It can be taken safely, because there is no way in which it can be defended, for it has no facilities by which defense can be made.

May I further suggest that the next war, like some of the other wars that have occurred in recent years, will probably

not be preceded by a declaration of war. In the instant case that means that the enemy may and probably will strike first without announcing his intentions in advance, in which event the coast of Alaska could be readily seized, a coast that has innumerable harbors, and then that coast could be made the base of operations against the United States.

The construction of the Alaska air base would make it impracticable for any enemy to attempt to seize any part of Alaska, because from the Alaska air base, upon a few hours' notice, could move an armament in the air sufficient in power to crush any force likely to be brought against it. With the Alaska air base established, it would be relatively simple and easy to transfer to Alaska on 24 hours' notice such air force as might be necessary to defend the Territory and to protect the adjacent coast line, along which an enemy would normally move toward our mainland. Under present conditions, with no facilities available, to attempt any aerial defense of Alaska or from Alaska would be all but impossible.

Every Member here realizes that the Alaska air base cannot be built in a day or a year, if the job is to be done economically. At the best several years will be required for construction. In order to do a complete job, it will be necessary to construct several auxiliary fields in strategic areas in the Territory. Therefore this is a subject that calls for immediate attention of Congress. Under modern conditions, national defense is not a thing that may safely be postponed until next year, or the year after, or the year after that, as the great Empire of Great Britain lately learned to her sorrow. Former Prime Minister Baldwin once observed that the line of defense of Great Britain is no longer on the Channel but on the Rhine. It is equally true that the line of defense of the United States is no longer on the shores of Washington or Oregon or California. The development of the modern airplane, with its mobility and its almost illimitable potential power, firmly fixes the line of defense of the western part of the United States along the outer limits of the great Territory which I am now privileged to represent in this body.

Mr. Chairman, the only opposition to this proposal that I know of comes from the Bureau of the Budget. The judgment of the Committee on Military Affairs of this House finds expression in the Wilcox Act, which furnishes the legislative authority. That act, as you all know, had the complete approval of the General Staff of the Army. I am not seeking to have something done which is contrary to the advice of the high command of our Army. The only objections to the proposed amendment are not military or strategic, but financial. In matters of national defense delay is dangerous. I hope that the amendment may be agreed to.

[Here the gavel fell.]

Mr. SNYDER of Pennsylvania. Mr. Chairman, naturally we all agree with the gentleman from Alaska, that Alaska is an important strategic place with reference to our national-defense system, but the Army elected first to establish a base in the Puget Sound area, and this year we provided money for it. The Army has a program extending over a period of years to build and equip new air bases, and in due course I am sure we shall have a recommendation to go forward with one in Alaska.

We are all eager to follow the judgment of Army authorities, and, I am sure, have confidence that they will choose the right places for air bases as the years go by. I believe within a year or two the base in Alaska of which the gentleman speaks will be provided for in the Budget, but this year the Army evidently feels that the money it would take can be spent to better advantage in other channels.

Mr. DIMOND. Mr. Chairman, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from Alaska.

Mr. DIMOND. May I ask the gentleman whether he knows that in 1937 the Army did send to the Budget an estimate of \$1,500,000 to start work on the Alaska air base? At that time the Army made the strongest representations that this base ought to go into construction at once. The only reason the estimate was not sent in this year is that the Budget had laid down limitations before the Army estimates

were made up. Therefore, we have a condition where the Bureau of the Budget is fixing the strategic policy of the administration and of the country. The fault is not at all with the Army.

Mr. SNYDER of Pennsylvania. Mr. Chairman, the facts may be in accordance with the gentleman's statement. I do not know. I do know the Navy has gone up into that section and has provided and is providing certain air-defense facilities there. I am sure we shall have a recommendation in the not distant future to put the Army Air Corps up there, too.

Mr. Chairman, I hope the amendment will be voted down.

Mr. SMITH of Connecticut. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment of the Delegate from Alaska because it seems to me the last statement he made, that the Budget is determining the strategic policy of the War Department, in this instance is perfectly true. When we passed the Wilcox Act in 1935 we intended it to provide in certain strategic areas major bases that our airplanes could use and where they could be serviced. The act itself has not been carried out, largely because of Budget limitations. Only one field has been developed under it, and this is in the Pacific Northwest. The act has been seized upon to build up some intermediate fields which really should have been provided for otherwise than in the Wilcox Act, the major purpose of which was to provide these large fields in strategic areas. It may be that even though we provide this amount in the present appropriation bill the administration may impound it, as some appropriations that were not thought to have great priority have been impounded this year, but I believe we should provide this money at this time because I believe this is one of the most important items in the development of the Air Corps and the defense of the west coast.

Mr. DOCKWEILER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from California.

Mr. DOCKWEILER. At least we can do this: In the future the Congress can provide for a very strategic airport at some very important place in the world, and leave the responsibility to somebody else.

Mr. SMITH of Connecticut. We can leave the responsibility to the military arm of the Government, acting through the Executive.

Mr. DOCKWEILER. We are not going to let the Budget Bureau determine what our national defense shall be.

Mr. SMITH of Connecticut. I think the gentleman is correct.

Mr. POWERS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I agree to a certain extent with many things the gentleman from Alaska has stated. I am of the opinion that within a reasonably short time an air base in Alaska will become a reality. However, I feel constrained this afternoon to ask the members of the Committee to vote against this amendment; and I do this because, in my opinion, the officers of the Air Corps who appeared before our committee did not justify the expenditure at the present time.

May I call to your attention, Mr. Chairman, that the direct and indirect cost of the Army Air Corps at the present time is approximately \$110,000,000. Upon completion of the presently authorized program for planes in 1940, the annual cost will be approximately \$150,000,000. I further call your attention to the fact that the cost of the Navy air forces, direct and indirect, for the fiscal year 1937 was in the vicinity of \$90,000,000, and that the cost of the Navy air force for the fiscal year 1938 probably will be close to \$100,000,000. With the addition of the 1,000 planes authorized in the big Navy bill passed last week the annual cost of the Navy air force probably will rise in 5 years to not less than \$150,000,000.

Mr. Chairman, I realize an adequate air force is absolutely essential, but if we keep going the way we are now we will have for the air force of the Army, Navy, and Marine Corps

at the end of a very few years an annual cost of somewhere in the vicinity of half a billion dollars.

We are going to have an annual appropriation bill for the Army and Navy in the vicinity of a billion and a half dollars before we are through, and, Mr. Chairman, John Q. Public must pay this bill. I think we should be a little more careful about how we pile up these expenditures. I am hoping and I believe that the gentleman from Alaska eventually will see an air base in Alaska come into existence. I personally am in favor of it, but I do not wish to see the money appropriated at the present time. I should rather have it come along when the Air Corps itself states it should be made available in accordance with their development program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska.

The amendment was rejected.

Mr. SNYDER of Pennsylvania. Mr. Chairman, there is a committee amendment at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. JOHNSON of Oklahoma: On page 27, line 11, before the word "Fort", insert "Fort Sill, Okla., \$331,000."

Mr. TABER. Mr. Chairman, reserving a point of order, where is this authorized by law?

Mr. JOHNSON of Oklahoma. There is a Budget estimate for it and it is also authorized, I will say to the gentleman from New York.

Mr. TABER. Was it authorized by the Wilcox Act, or just how was it authorized?

Mr. JOHNSON of Oklahoma. It was authorized under the act, Public, No. 394, Seventy-fifth Congress, chapter 843, first session, August 26, 1937.

Mr. TABER. I reserve a point of order, Mr. Chairman.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I may say to the Committee this is a very urgent need. The committee, I understand, has some information now it did not have when the hearings were held. There are more than 1,300 soldiers at Fort Sill who are improperly housed, and I hope there will be no objection to the amendment.

The CHAIRMAN. Does the gentleman from New York desire to urge his point of order?

Mr. TABER. Mr. Chairman, I cannot understand just how this proposition is authorized, but if it is and there is a communication from the Secretary of War indicating that this has been determined, I would withdraw the reservation of a point of order. This item is already \$200,000 above the Budget, including the new appropriation, but, of course, this has nothing to do with the point of order.

Mr. JOHNSON of Oklahoma. I believe the gentleman will withdraw his point of order, will he not?

Mr. TABER. I would want to know whether it is authorized. I cannot see where it is authorized.

The CHAIRMAN. The Chair may state to the gentleman from New York that under the act of August 26, 1937, Public, No. 394, there appears to be included in that bill an authorization of barracks at Fort Sill, Okla., \$330,000, and \$1,000 for telephone construction which is the same amount as that mentioned in the amendment.

Mr. TABER. I withdraw the point of order, Mr. Chairman.

Mr. THOMASON of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not object to the amendment of my friend from Oklahoma, and I do not want to be assuming a dog-in-the-manger attitude, but, frankly, I do not quite understand the attitude of the committee. Some of my friends and myself on the Committee on Military Affairs had considerable to do with this question. The gentleman from Pennsylvania [Mr. FARRIS] and myself and some others, constituted the Subcommittee on Appropriations of the Committee on Military Affairs and, therefore, I think we can say with a fair degree of modesty that we had something to do with bringing out the housing-authorization measure of last year to which the gentleman from New York [Mr. TABER] has referred. There were certain recommendations and priorities established in that measure. I am entirely selfish about this and I do not have anything to hide,

because I have two Army posts in my district, and both have needed new housing badly for 10 years, with promise after promise that in the next bill there would be an appropriation for housing following the authorization that we passed last year. That bill authorized \$463,000 in new construction at Fort Bliss and \$77,818 new construction at Fort D. A. Russell.

Now, when the bill comes here, there are several items that our committee never heard about. I congratulate the Members who have obtained new housing for their posts. But this is no place to play favorites. They need new housing at Fort Sill, Okla., and I am for it; but the bill comes in with an amendment of \$350,000, or something of that sort, when I happen to know that housing is needed at many Army posts all over the country. If this is to be a logrolling or "pork barrel" affair, I am going to do my best to see to it that all have an equal chance.

As I say, I am not complaining about the success that our friend from Oklahoma [Mr. JOHNSON], who happens to be on the Appropriations Committee, is meeting with. In fact, I congratulate him on the haste with which the Committee accepts his amendment. This is a matter about which there ought to be absolute equality practiced in regard to all deserving housing, and in all fairness, if this amendment is to be accepted, then some of the rest of us would like to have time and opportunity to offer suitable amendments with the hope that the Committee will accept ours.

Mr. STARNES. Mr. Chairman, will the gentleman yield?

Mr. THOMASON of Texas. Yes.

Mr. STARNES. I feel as the gentleman does about the housing situation, but originally this amendment was included in the Budget estimate that came up to us.

Mr. THOMASON of Texas. Would the gentleman say that is true of all of the items in this section?

Mr. STARNES. All of the items in this section excepting one other, which has just been passed on. They came to us from the Budget at that time, and we felt the evidence was not sufficient to justify, but since that time sufficient evidence has been adduced and brought to us.

Mr. THOMASON of Texas. It seems to me it has almost come to be a futile thing for the legislative Committee on Military Affairs to spend weeks and months in bringing out a housing bill, establishing priorities, if, when the appropriation bill comes up there is no regard shown for our work and recommendations, or if amendments be accepted and the rest of us left out in the cold. That is what I complain about. I am determined, if possible, to see to it that our committee is shown some consideration.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. THOMASON of Texas. Yes.

Mr. ANDERSON of Missouri. I notice that the Jefferson Barracks, Mo., which was listed, is stricken out. The soldiers there have to sleep out in tents in the rain. I also notice where the members of this committee took care of themselves and disregarded our committee.

Mr. THOMASON of Texas. I do not agree with your last statement, but I do undertake to say, and I back it up with the record and the facts, that there are 25 Army posts throughout the country where there is inadequate housing, and about which the Military Affairs Committee spent weeks and months in considering priorities. What is the use of having a legislative committee if what it does is to be absolutely disregarded? Why, we are not even consulted. As a rule, we are completely ignored.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANDERSON of Missouri. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. THOMASON of Texas. Yes.

Mr. CULKIN. I agree completely with the gentleman. Of course, the condition of military housing in the United States is a burning disgrace.

Mr. THOMASON of Texas. It is deplorable. The Army needs the housing and it would be permanent improvements that would provide a lot of employment and require a lot of material.

Mr. CULKIN. The gentleman knows that. The housing committee, and I include the staff of the United States service, are absolutely guilty of complete neglect of duty in this situation. You cannot get a good soldier unless you give him decent environment, and may I suggest this to the gentleman for the purpose of bringing this thing squarely up. I shall offer an amendment for my particular post here on the floor.

Mr. THOMASON of Texas. I want to find out if there is any use of my offering the same kind of an amendment, because if the rest of the gentlemen are offering amendments and get by with them, I would be neglectful of my people and my two Army posts if I did not fight for them, and this I propose to do. There certainly ought not to be any discrimination or favoritism in this matter. The Committee on Military Affairs of the House has worked hard on a housing bill. The hearings were full, fair, and complete. These matters ought to be considered on merit and need, and nothing else. This is no time or place to start logrolling. I have great respect for the Subcommittee on Appropriations in charge of this bill. I do not impugn their motives. I express the hope, however, that they treat their colleagues on the Military Affairs Committee with the consideration due them. All we want to do is to cooperate and work out a fair program.

Mr. MAVERICK. Mr. Chairman, I want to say in this connection that we received priority for an addition to the hospital at Fort Sam Houston, to cost \$235,000. That hospital has been subordinated to matters nowhere near as important.

This is not "pork barrel" talking, though it happens to be in my district, for the hospital ought to be built no matter where it might be.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I sympathize with the gentleman from Texas [Mr. THOMASON], a distinguished member of the Committee on Military Affairs, with whom I served with a great deal of pleasure a few years ago. I say to the gentleman that if he has received a Budget estimate for any housing in his district, I shall go down the line with him and do my best to see that he gets an appropriation. I go further and say that whether or not he has received a Budget estimate, if he will present facts to justify it, and he offers an amendment, I for one will support such an amendment. But I assure the gentleman that no favoritism has been shown with reference to Fort Sill, Okla. For 10 years there was no housing program at Fort Sill because the War Department was uncertain whether it wanted to keep the Field Artillery School there or transfer it to Fort Bragg. That, of course, was several years ago. A board was appointed by the War Department and after a very thorough investigation the committee finally decided that the Field Artillery School should remain at Fort Sill. Since that time a building program has been begun, but the item of \$331,000 in the pending amendment, sent to the desk by the chairman of the committee, will not begin to take care of the urgent needs for the housing at Fort Sill.

May I say to the gentlemen who are members of the Committee on Military Affairs that certainly no member of that committee should object to this item. Senator HILL, of Alabama, who at that time was chairman of the important Committee on Military Affairs, visited Fort Sill a few years ago and after a thorough investigation, at which time he saw the old, dilapidated, wartime shacks that men are housed in, he made the public statement that the housing situation was not only in a very deplorable condition there but that he had found them no worse at any other Army post in the entire United States. Members of the subcommittee who

kicked out this item have never visited Fort Sill, so far as I can ascertain.

At this time there are 1,300 soldiers at Fort Sill who are improperly housed. One hundred and four are housed in old, dilapidated National Guard kitchens, 100 others in badly dilapidated shacks, 180 are housed in an old, abandoned C. C. C. camp; many others are housed in porches and squad rooms of old wartime buildings. This item, if allowed, would care for only about one-third of the most urgently needed barracks.

I desire that Members please bear in mind that the Bureau of the Budget sent an estimate to the committee for this item. A representative of the War Department appeared before the committee and gave strong and convincing statements in support of this time. It can be found in the recent hearings. The War Department representative compares the housing conditions at Fort Sill with those of the worst Army posts in the entire United States. What more convincing evidence would the committee or the Congress desire? Inasmuch as the committee has accepted the amendment, I sincerely hope that gentlemen will withdraw their opposition and join me in support of the amendment.

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, here is another example of the Appropriations Committee going hog wild and asking for approval of items that have not been considered by the Committee on Military Affairs or changing their order of priority in housing and other matters that have to do with construction in the Army. They are again invading the field of jurisdiction of a legislative committee. We come in here and in the Committee of the Whole various Members go to logrolling and secure appropriations for items for their own particular districts without it being first determined whether or not the items may be entitled to prior consideration, or even authorized.

We have here a striking example in reference to the \$50,000 to establish a landing field under the pretense, Mr. Chairman, if you please, of the authority under the Wilcox Act. Think how ridiculous it is to begin to establish intermediate landing fields throughout the United States, covering them up under authority of the Wilcox Act, when the main landing fields at strategic points all over the United States have not been considered nor determined upon. How in the world can anyone decide where these intermediate landing fields are to be situated unless and until the main landing fields have been determined upon? We are establishing landing fields when we have no knowledge as to how they will tie in with the general set-up.

Mr. Chairman, I believe I can speak impartially on the matter of Army posts, because I do not have a single Army building in my district. However, I am a member of the subcommittee of the Military Affairs Committee which deals with Army housing, and I know that each year we spend months and months going over the estimates of the Quartermaster General's Department in order to determine how we can make what little money we get for Army housing serve the very best purpose. If we are to be hog-tied and overrun by the Subcommittee on Military Appropriations of the Committee on Appropriations when they insist upon giving priority to projects in their own districts, I fail to see how we can ever intelligently act in this matter. I do not see how in the world we can ever determine what construction or what waterworks, hospital, or what not may be entitled to prior consideration. I am sure we are much better qualified to go into this matter than is the Committee on Appropriations, and I feel that the Committee today should vote down various matters of this kind which are and will be offered. We must protect the jurisdiction of the legislative committees of the House of Representatives.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I do not know exactly what pet projects have been put into this item by the committee. I do know

that while the item appears as below the Budget estimate, there has been a contract authorization of \$1,090,000, which brings it up practically to the Budget estimate. Undoubtedly, if this amendment is adopted, the amount will go above the Budget estimate. It is evident that this thing has been loaded up.

Mr. Chairman, I do not think it is good policy for members of the Appropriations Committee to try and feather their own nests. I do not think it is good tactics for the members of any committee to represent on that committee special interests. Unless the committees of this House try to approach these matters from the standpoint of desirability of projects and from the standpoint of considering them on their merits, we will get into trouble.

The gentleman from Pennsylvania, chairman of the subcommittee, has placed in this bill an item of his own that at the time it was thrown in was not authorized by law. He has obtained alleged authorization, which I do not believe would hold water for a minute, from the Secretary of War since the bill was marked up. Frankly, I do not believe that another dollar should be added and that every item contained in the bill not authorized by the Budget should be stricken from this paragraph.

Mr. THOMASON of Texas. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. THOMASON of Texas. Mr. Chairman, in other words, the gentleman thinks there ought to be a consistent policy followed with reference to this matter?

Mr. TABER. On the merits of the projects and not because of special interests represented by members of the Appropriations Committee or any other committee. I am sick of these attempts to work in a racket just because somebody happens to be a member of a particular committee.

Mr. CULKIN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. CULKIN. The gentleman believes there should be decent, modern housing furnished for the American soldiers?

Mr. TABER. Certainly, but I do not believe that it should be done on the basis of a racket. It should be done because of the merits of the projects.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. FADDIS. Such things ought to be put through in regular order by the legislative committee—not by the Committee on Appropriations.

Mr. TABER. I do not think power to designate projects or construction programs should be given to a department. I think it should be handled by a legislative committee and that there should be specific legislation for every project for which we appropriate. I think this applies to public building projects as well as to Army and Navy projects.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MARTIN of Colorado. Mr. Chairman, the gentleman says he thinks every dollar ought to be cut out of the bill that was not recommended by the Budget. The gentleman must understand the fact that a lot of water has gone over the dam since those estimates were made 6 months ago and that the change has been entirely responsible for the big Navy bill the House passed last week.

Mr. TABER. That change has not been responsible. The whole situation with reference to running over the Budget is entirely a matter of special interest. The big Navy bill was brought out here just to cover up the iniquities of the administration—nothing else. There was no possible excuse for it. It was just a camouflage, that is all there was to it.

Mr. Chairman, I hope this committee will not do as the Appropriations Subcommittee evidently has done. I hope they will not put anything more on this bill but will strike out everything the committee brought in here that was not included in the Budget, and that we will get the amount down to something like the figure it was supposed to be.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. SNYDER of Pennsylvania) there were—ayes 34, noes 10.

Mr. TABER. Mr. Chairman, I object to the vote on the ground there is not a quorum present and make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 46]

Allen, Del.	Ditter	Knutson	Shannon
Allen, Ill.	Douglas	Kocialkowski	Smith, Okla.
Barden	Drewry, Va.	Kramer	Somers, N. Y.
Beam	Eaton	Lanzetta	Sullivan
Bernard	Elliott	Lesinski	Sweeney
Biermann	Farley	Long	Taylor, Tenn.
Bigelow	Fish	Lucas	Teigan
Boren	Flannagan	McGroarty	Thomas, N. J.
Boykin	Frey, Pa.	McKeough	Thurston
Buck	Garrett	McMillan	Transue
Buckley, N. Y.	Gasque	Magnuson	Treadway
Bulwinkle	Gifford	Martin, Mass.	Wadsworth
Caldwell	Gilchrist	O'Brien, Ill.	Wearin
Carter	Greenwood	O'Connor, Mont.	Weaver
Cartwright	Halleck	O'Quinn	West
Celler	Hancock, N. Y.	Patrick	Whelchel
Champion	Hancock, N. C.	Pierce	White, Idaho
Colden	Harlan	Poage	White, Ohio
Cole, Md.	Harter	Quinn	Wilcox
Crosby	Hartley	Reece, Tenn.	Wolcott
Crowther	Hook	Reed, N. Y.	Wolfenden
Daly	Jarman	Robinson, Utah	Wood
Deen	Jenkins, Ohio	Rogers, Okla.	Zimmerman
DeRouen	Jenks, N. H.	Sadowski	
Disney	Kieberg	Schneider, Wis.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LUTHER A. JOHNSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 9995), the Military Establishment appropriation bill 1939, and finding itself without a quorum, he had directed the roll to be called, when 331 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its session.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 50, noes 55.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. JOHNSON of Oklahoma and Mr. TABER.

The Committee again divided; and the tellers reported that there were—ayes 36, noes 55.

So the amendment was rejected.

Mr. MAVERICK. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. MAVERICK: On page 27, line 18, after the figures "\$187,200", insert "one hospital addition, \$235,000, at Fort Sam Houston, Tex."

Mr. TABER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MAVERICK. Mr. Chairman, I offer this amendment providing for the completion of a hospital at Fort Sam Houston, Tex. This is not a "pork barrel" proposition, and there is not the remotest color of "pork barrel" about this. The Committee on Military Affairs has authorized the completion of a hospital for the Eighth Corps Area, a barracks, and various other things. I am not asking at this time for the barracks, because the men have tents in which to live. They ought to have barracks, but under no circumstances should sick people be put in shacks.

This is what happened. I went to the P. W. A. and got the money for the original hospital. There never was an authority made for this hospital. But the \$235,000 required to complete the hospital is fully authorized, and after extensive hearings.

HOSPITAL SERVES WIDE AREA

The hospital serves the Eighth Corps Area, which includes Texas, Colorado, Wyoming, and various other States. Patients from all over the Eighth Corps Area are cared for in this hospital, and this addition should be built.

The gentlemen who are on the Committee on Appropriations always look out for themselves. This hospital is not for the benefit of the people of my district; it concerns the soldiers of the United States Army.

I have not said very much on this floor about appropriations for my district. As a matter of fact, my district is the largest military district in the United States. I am not complaining about the way my district is treated, because it is well treated by the Army and by the Congress, and I appreciate it. However, when a hospital is started and modern hospitalization is needed, the project should be completed.

For instance, we spend millions, billions of dollars on W. P. A. Why should we not spend money on the building of a decent hospital for the troops of the United States Army?

NO ONE CAN SAY THIS HOSPITAL IS NOT NECESSARY

I would not have said anything about this matter except that others started rolling the "pork barrels." I want this hospital for my district, and, of course, I have some local pride in it. But not a single person can say a word against this hospital. I defy anybody anywhere to say this ought not to be built. I defy any member of the committee to say the addition to this hospital is not necessary.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MAVERICK. I yield to the gentleman from New York.

Mr. TABER. How did it happen this item was not included in the Budget estimate?

Mr. MAVERICK. I do not know why it was not in the Budget estimate.

Mr. TABER. Did the gentleman appear before the committee and ask to have the item included in the bill?

Mr. MAVERICK. No; I did not believe I would get a hearing on it, because the Budget cut it out arbitrarily. But it was unanimously authorized by the Military Affairs Committee and endorsed by the War Department. Moreover, nobody can say there is anything wrong with this project. This addition to the hospital is absolutely necessary and ought to be built.

HOUSING OF ARMY IN DISGRACEFUL CONDITION OVER COUNTRY

Mr. Chairman, we have spent billions of dollars on relief over the United States. We have had the Federal Housing Act, the Home Owners' Loan, and I voted for all of these acts. In my opinion, it was necessary legislation, moreover good legislation.

But with the billions spent, we have let the housing of the Army all over the United States fall into a disgraceful condition. The Military Affairs Committee originally had a bill providing for housing to the extent of some 120 or 130 million dollars. We had hearings on this and cut the entire amount of housing to something like 20-odd million. This amount is admittedly a large amount of money, but a very small amount of money in comparison with the billions we have spent, which involve projects of all kinds under the W. P. A., P. W. A., and other departments of the Government.

Whatever anyone's position is in regard to the Army and the Navy, whether pacifist or militarist, or just ordinary citizen—everyone must agree that proper housing is necessary for the Army. I call upon this House and the people of the United States to consider this general situation, to provide the proper housing, because if money is to be spent, this is money that will help business and at the same time give employment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not know what the situation is with reference to the hospital. Although I rose in opposition to the amendment in order to get the floor, if the gentleman has sufficient evidence that conditions warrant the expenditure of additional funds there at this time I will gladly support his amendment. However, the gentleman well knows that

the rules of the Committee on Appropriations are that a Member proposing this type of an amendment should have a Budget estimate on it.

If I may be permitted, I desire to speak indirectly with reference to the amendment that was defeated a few minutes ago under what I am sure is a misunderstanding by the Members of the Committee of the Whole. As I explained here a while ago, before several members came on the floor who are now present, a few years ago the distinguished Senator from Alabama [Mr. HILL], who was then chairman of the Committee on Military Affairs, went to Fort Sill while on an inspection tour of the country, and after careful and thorough investigation of housing conditions at Fort Sill, announced the situation there was in a deplorable condition; that barracks at Fort Sill were urgently needed and that at no fort in the entire country was the housing condition worse or the needs greater for new barracks. I remind Members once more that the amendment just defeated because of a misunderstanding on the part of many Members who did not hear the discussion, had both a specific authorization and a Budget estimate. But the pending amendment, if I understand correctly, has no Budget estimates.

Mr. DOWELL. Mr. Chairman, I make the point of order the gentleman is out of order. The amendment to which he refers has been disposed of.

The CHAIRMAN. The gentleman from Oklahoma will proceed in order.

Mr. JOHNSON of Oklahoma. The gentleman from Oklahoma is proceeding in order. I am simply comparing the item for Fort Sill with the amendment of the gentleman from Texas which is before the Committee at this time. We talk much here about Budget estimates, authorizations, and appropriating in an orderly way. But here we have seen the sorry spectacle of an item bodily taken out of a bill without any excuse whatever, in the face of the fact that there was a Budget estimate and an authorization—apparently for the purpose of taking care of someone's pet project that has neither an estimate nor a semblance of an authorization. I do not mean to say that the pending amendment falls in the latter category, but unfortunately the estimate has not yet reached the Committee on Appropriations.

Mr. DOWELL. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman from Oklahoma will proceed in order.

Mr. DOWELL. The gentleman knows the rules.

Mr. JOHNSON of Oklahoma. Yes; the gentleman is entirely correct. I not only know the rules but I am adhering to the rules. Now I desire to state that I feel very kindly not only to the gentleman from Texas but also for the building of a hospital anywhere. The fact is I would much prefer to spend money for a hospital, even without a Budget estimate, than to embark on an entirely new project without authorization or an estimate, as I understand it is proposed a little further on in this bill. For one, I deeply regret there is not more allowed in the pending bill for hospitals. I hope my good friend from Texas will secure a Budget estimate, and I shall be very happy to assist him in every possible way.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I regret that I cannot yield just now, but since the gentleman has repeatedly referred to the amendment prepared by the clerk of the subcommittee and offered as a committee amendment, as the Johnson amendment, let me say to him that I was amazed that the Fort Sill item was for some unknown reason eliminated. But Members heard the gentleman from Alabama state that the committee received additional authentic information after the hearings. I had assumed, of course, that any item with a Budget estimate would be retained in the bill, but I was not afforded the opportunity to present the facts at the hearing. But certainly I felt justified in seeing that the committee got the full facts;

but I did not prepare the amendment, even though the committee, I believe, put my name on it.

Mr. MAVERICK. And never heard of it?

Mr. JOHNSON of Oklahoma. Oh, yes; I will say to the gentleman that I accept full responsibility for seeing that it was offered; but I had a Budget estimate to back me up before asking the chairman of the subcommittee to offer the amendment for housing at Fort Sill.

The CHAIRMAN. The pending amendment is the amendment offered by the gentleman from Texas [Mr. MAVERICK], and that is the only amendment now pending before the Committee.

Mr. STARNES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the item offered by the gentleman from Texas is authorized by law along with \$25,000,000 of other items in the act of August 26, 1937.

The committee would have been pleased to have considered this and all other items had they felt the condition of the Treasury would warrant it and had the items been recommended to the committee by the War Department.

There is no question about the need of housing in the United States Army. This question has been passed upon already by the Congress, but there is a question as to the advisability of embarking upon such an extensive building program when there are so many critical items which must be cared for first in view of the conditions existing throughout the world today.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. STARNES. I will be pleased to yield to the gentleman from Texas.

Mr. MAVERICK. Does not the gentleman think that since this is for the completion of a hospital that is already in operation and ought to be completed it is a more necessary item than an item for barracks or something of that kind? This is nothing new, and I am not asking for any additional barracks.

Mr. STARNES. May I say to the gentleman from Texas there are four other hospital items which were authorized by his committee, all of which, of course, should be built as soon as the condition of the Treasury will permit.

Mr. MAVERICK. You have one of them in here now.

Mr. STARNES. May I say to the Members of the Committee that statements have been made on the floor this afternoon in the heat of debate, and unintentionally, I am sure, which impugn the motives of certain Members of this House. We all appreciate the zeal of those gentlemen who have Army posts within their respective districts. We respect the zeal of the gentleman from Texas and his colleague from Texas and others who are members of the legislative committee and who have Army posts within their area. We know they are representing the best interests of their people ably and well. Our committee would like to go along with them, but I want to say to those gentlemen who have impugned the motives of the members of your Subcommittee on Appropriations that there are a number of us on that committee who have no Army posts within our respective districts, and therefore we resent the unintentional imputation that there was a selfish interest motivating all members of this committee in its recommendations with respect to this bill.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES. In just a moment.

For each item provided here we had a recommendation of the War Department which established a priority on this building list—not the Military Affairs Committee and not your Appropriations Committee, but the War Department itself established these priorities.

I personally do not feel that a single dollar should be spent or should have been spent under the broad terms of the Wilcox Act. As a Member of the committee and of the Congress I believe there should be further specific authorization on the part of your Military Affairs Committee before

we spend one single, solitary dollar for construction of aviation posts throughout this country under the authority of the Wilcox Act.

Mr. MAY. The gentleman will recall that there was only \$25,000,000 or \$26,000,000 authorized by the bill we reported last year, and this bill appropriates approximately, or perhaps in excess of, one-third of that amount, and the idea is to carry out the program over a period of 3 years.

Mr. STARNES. Absolutely, a progressive building program, and I hope the committee will vote down this amendment and all pending amendments.

Mr. DORSEY. Mr. Chairman, will the gentleman yield?

Mr. STARNES. I yield to the gentleman from Pennsylvania.

Mr. DORSEY. Also, in that legislative authorization there were certain projects that are quite necessary to the development of the material of the Army, including some improvements at the Frankford Arsenal, and by spending such money today we would save money through improvements that would eventually have to be made, and if the funds for the Army will not allow such expenditures to be made for improvements there, why should other items be put in the bill?

Mr. STARNES. The gentleman is quite right.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. MAVERICK].

The amendment was rejected.

Mr. EBERHARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EBERHARTER: On page 26, after line 24, strike out beginning with the words "Air Corps", the remainder of line 24, and on page 27 all of line 1 down through "\$50,000."

Mr. EBERHARTER. Mr. Chairman, this amendment is somewhat different from most amendments presented to appropriation bills. This amendment seeks to cut out the sum of \$50,000 which is provided in the bill for the establishment of an intermediate Army airport at Connellsville, Pa. Connellsville is 50 miles from the city of Pittsburgh. At the present time right close to the city of Pittsburgh there is one of the finest airports in the world. In fact, the airport has the largest paved area of any airport in the world, and Allegheny County has expended large sums of money there for that purpose.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. Yes.

Mr. SHORT. Was there any Budget estimate for this proposed airport at Connellsville?

Mr. EBERHARTER. There was no Budget estimate for the \$50,000 which is set out in the bill. The County of Allegheny went to great expense and installed hangars, and gassing stations, and made great paved areas, and established all of the technical equipment necessary to take care of Army airplanes—not at the expense of the Government, but at the expense of Allegheny County. Here comes a proposition to take away the use of the facilities which were established by the county of Allegheny, and transfer them to Connellsville at an initial expense to the Government of \$50,000, which was never presented to the Budget Committee. I found nothing in the hearings recommending the expenditure of this money, and it is one of the biggest "pork" propositions ever presented to this House. I do not know of anything that would be more unfair than to take away from the city of Pittsburgh and the county of Allegheny the Army air station they now have there, and transfer it to the county which the chairman of the subcommittee represents, without any necessity for doing it. In the vicinity of Connellsville there lives only one flying Reserve officer, while in Allegheny County, that spent the money to put up these facilities, there are hundreds of flying Reserve officers; and the result will be that these flying Reserve officers living in Pittsburgh, or close by, will be compelled to travel to Connellsville for their training, and then travel back again to Pittsburgh.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. Yes.

Mr. BOILEAU. Do I understand the gentleman to say that this flying field is transferred from one district into another?

Mr. EBERHARTER. That is the understanding. The Reserve officers, instead of being trained at the place they are training now, will be taken to Connellsville, 50 miles away from where they all live, and trained there.

Mr. BOILEAU. Does the Department recommend that?

Mr. EBERHARTER. I do not know; there is nothing in the hearings about it.

Mr. BOILEAU. How did that happen to be done in the Appropriations Committee?

Mr. EBERHARTER. The only way I can think of is that it was put in by the Subcommittee on Appropriations. I do not see any justification for it whatever.

Mr. DUNN. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. Yes.

Mr. DUNN. These Reserve officers would be put to great inconvenience to have to run up to Connellsville, 50 miles there and 50 miles back; and another thing, Allegheny County went to great expense to make that field one of the greatest fields in the country. This amendment should be agreed to.

Mr. EBERHARTER. The gentleman is right. The Reserve officers would have to travel by train or automobile or in some other way to Connellsville to take their training and then drive back again to their homes near Pittsburgh, where they live. I do not see any necessity for a proposition of this kind. It would be a useless expenditure of \$50,000. The airport in Allegheny County now offers ample facilities both for an intermediate station for Army planes and for training of Reserve Army fliers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in 30 minutes.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER].

The question was taken.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The amendment has already been voted on.

Mr. SNYDER of Pennsylvania. Well, I am afraid the Chair overlooked me. I had risen in my place.

Mr. EBERHARTER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman says that he was on his feet. The Chair had not announced the result of the vote. In view of what the gentleman says, the Chair feels it is only fair that he should be heard. The gentleman from Pennsylvania is recognized.

Mr. MAVERICK. Mr. Chairman, a point of order. Does that mean that we are going to vote on this amendment again?

The CHAIRMAN. Yes.

Mr. EBERHARTER. Mr. Chairman, I make the point of order that that cannot be done.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BOILEAU. I make the point of order that even though the gentlemen from Pennsylvania [Mr. SNYDER] was on his feet, he was not requesting recognition.

Mr. SNYDER of Pennsylvania. I was endeavoring to seek recognition.

Mr. TABER. But not until after the vote was taken.

The CHAIRMAN. The Chair believes it would be unfair not to recognize the gentleman.

Mr. EBERHARTER. Then, Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. EBERHARTER] appeals from the ruling of the Chair. The question is whether the decision of the Chair shall stand as the judgment of the Committee.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry. Due to the confusion in the Chamber we could not hear the Chair. Will the Chair be good enough to advise us again what the situation is.

The CHAIRMAN. The point in issue is this. The gentleman from Pennsylvania [Mr. SNYDER] stated to the Chair that he was seeking recognition of the Chair in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER]. The Chair did not so understand, and put the question on the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER]. The gentleman from Pennsylvania [Mr. SNYDER] says that he was seeking recognition in opposition to the amendment. In view of the confusion the Chair has ruled that the gentleman from Pennsylvania [Mr. SNYDER] is entitled to recognition in opposition to the amendment and that the vote will be again taken on that amendment. Thereupon the gentleman from Pennsylvania [Mr. EBERHARTER] appealed from the ruling of the Chair.

Mr. MAVERICK. Does this mean that if the gentleman is recognized, then as soon as he gets through we vote without further debate? If we extend the matter 5 minutes, why should we not extend it 5 minutes further?

Mr. MICHENER. I take it, then, from the statement of the Chair that the reporter's record which states what took place will show that the question was put, because it was put and that the—

The CHAIRMAN. The Chair had not announced the result of the vote.

Mr. MICHENER. And the Chair had announced the result.

The CHAIRMAN. The Chair had not announced the result.

Mr. MICHENER. Then I misunderstood. I think the RECORD will show that the Chair did announce the result of the vote.

The CHAIRMAN. The Chair was not aware of the fact that the Chair had made any announcement of the vote.

Mr. KVALE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KVALE. After this rather weird ruling, is the request—

The CHAIRMAN. The gentleman is not stating a parliamentary inquiry.

Mr. KVALE. I am attempting to do so. I ask the Chair if a request for an appeal should be made in the Committee or in the House?

The CHAIRMAN. It should be made in the Committee.

Mr. MAVERICK. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may be permitted to address the House for 5 minutes and that the vote on the amendment be then taken.

Mr. EBERHARTER. Mr. Chairman, I ask unanimous consent to withdraw my appeal.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. KVALE. Mr. Chairman, I object.

The CHAIRMAN. The gentleman has the right to withdraw his appeal without consent of the Committee. Does the gentleman withdraw his appeal?

Mr. EBERHARTER. Mr. Chairman, I withdraw my appeal from the decision of the Chair.

The CHAIRMAN. The appeal is withdrawn. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I think the gentleman from Pennsylvania [Mr. EBERHARTER] has been misinformed, for otherwise I am sure he would not have offered the amendment that he has.

This intermediate airport between Langley Field, Va., and Bolling Field, here in Washington, and fields to the west, such as Selfridge Field and Wright Field, has not anything at all to do with the field at Pittsburgh. It will not take away the Reserve officers' training activities at Pittsburgh. No one is going to ask for the establishment of Reserve officer activities at this airport. It will be nothing more than an intermediate landing field for the Air Corps.

I know you wish the facts about this matter. I do not wish to give you anything but facts. The W. P. A. 3 years ago made available funds toward building this airport to take the place of old Burgess Field, the former intermediate station. To date the W. P. A. has invested \$541,000 in the project. When bigger and faster planes started coming in in 1933 the War Department had to dispense with landing at Burgess Field because the field was not large enough or suitably graded to accommodate these big planes. I have here a communication from the War Department stating that Burgess Field would be abandoned and facilities sought elsewhere for the accommodation of the more modern type of aircraft. They now have built at Connellsville two crossed runways, one 3,600 feet long and the other 3,100 feet long, each 100 feet wide and hard surfaced, and a hangar has been erected and other facilities provided. This is merely an emergency landing field between Langley Field and Bolling Field and points west.

I am sorry the gentleman got the impression that it was going to take away any activities from Pittsburgh. Absolutely nothing is to be taken away from Pittsburgh along the line of Reserve officer training.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. EBERHARTER. Is it not a fact that there has been a movement on foot to transfer the school for training flight officers to Connellsville?

Mr. SNYDER of Pennsylvania. Not to my knowledge. I do not think there is any such movement.

Mr. EBERHARTER. Does not the gentleman know that the question has been under consideration by the Air Corps?

Mr. SNYDER of Pennsylvania. No; I do not.

Mr. EBERHARTER. Did the Air Corps in the first place request this \$50,000 of the Bureau of the Budget for Connellsville?

Mr. SNYDER of Pennsylvania. No; I requested it. Let me read this letter to the committee.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield further?

Mr. SNYDER of Pennsylvania. Not for the moment. This letter is dated March 22, 1938, from Gen. Malin Craig, Chief of Staff:

In answer to your telephonic inquiry of March 22, 1938, permit me to inform you that Connellsville Airport, Pa., has been approved by the Secretary of War as an intermediate landing field, and that the lease for the site of the administrative building thereon has been approved by the Assistant Secretary of War and has been forwarded this date to the commanding general, Third Corps Area, for final completion.

That is all there is to this proposition, the establishment of an intermediate landing field.

[Here the gavel fell.]

Mr. SNYDER of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I indicate on this map where the Connellsville Airport is, and I may say this map has been prepared by the War Department.

Mr. DEMUTH. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to my colleague from Pennsylvania.

Mr. DEMUTH. Were hearings held on this appropriation?

Mr. SNYDER of Pennsylvania. No; there were no hearings.

Mr. DEMUTH. Was any evidence submitted as to its necessity?

Mr. SNYDER of Pennsylvania. Yes; evidence was submitted as to its necessity.

Mr. DEMUTH. Was it presented to the committee?

Mr. SNYDER of Pennsylvania. Only through me. There were no hearings either on the \$75,000 which we gave to Buffalo a few moments ago, urged by the Republican side, for construction up there.

Mr. TABER. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from New York.

Mr. TABER. Did the subcommittee at a regular meeting ever vote and pass on this?

Mr. SNYDER of Pennsylvania. No.

Mr. TABER. I thought so. It really did not belong in the bill at all. It was just shoved in.

Mr. SNYDER of Pennsylvania. It did belong in the bill or it would not have been reported. The committee, of which the gentleman is a member, voted to report it out and there was no opposition.

Mr. DOCKWEILER. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from California.

Mr. DOCKWEILER. I am a member of this committee, and I may say to the gentleman from New York that when the War Department sent this letter up, stating the necessity for making these improvements to this airport, the gentleman from Pennsylvania polled the majority of the members of the committee and had their consent before this was written into the bill.

Mr. SNYDER of Pennsylvania. May I say that the Government has already spent up there \$540,000, and the city of Connellsville, as the sponsor, has put up \$35,000. The Army has designated this as an airport, and it does not take away anything from Pittsburgh. It is merely a landing field. A ship fell over near Uniontown a few years ago and killed 12 people. If this landing field had been in existence at Connellsville the accident would not have happened.

Mr. RANDOLPH. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I can well understand the desire of the gentleman from Pennsylvania for this airport development, but is it not a fact that at Morgantown, W. Va., only a few miles from the field of which the gentleman speaks, we are now completing one of the finest airports in the country, which can take care of any needs, now or in the future, of the Air Corps from the standpoint of an intermediate landing field? There is a need in the mountains in that territory for a real airport for emergency use, and also for a regular training base. I feel that Morgantown will fill that need for the Air Corps.

Mr. SNYDER of Pennsylvania. No. Morgantown is 29 miles away, and that is a long way in mountainous country in an emergency.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER].

The question was taken; and on a division (demanded by Mr. DOCKWEILER and Mr. SNYDER of Pennsylvania) there were—ayes 68, noes 19.

So the amendment was agreed to.

Mr. ANDERSON of Missouri. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Missouri: Page 27, line 12, after the semicolon, insert "for work authorized by the act of August 26, 1937, at Jefferson Barracks, Mo., for barracks (medical and other detachments), \$82,500, for mess and kitchen additions to barracks \$60,000, nurses quarters \$63,000; in all, for Jefferson Barracks, \$205,500."

Mr. ANDERSON of Missouri. Mr. Chairman, I am sorry I am not a member of that powerful Appropriations Committee. Just what the qualification are I do not know, unless it is being quick on your feet. However, I am a member of the Committee on Military Affairs which spent 2 or 3 months studying this bill. Extensive hearings were held and a wide and thorough investigation made. If you will notice on page 3 of the report, one of the major items in this bill is Jefferson Barracks, Mo., for medical and other detachments. That was one of the major proposals in the House bill. This was sent to the War Department and

approved on August 26, 1937. You can verify this by looking at the last page.

Just why the item was deleted from the original bill I do not know, but I make the statement that this is needed. Jefferson Barracks is one of the oldest Army posts in this country. I wish every member of the committee could go through that post and see the tumble-down shacks and the miserable way in which the soldiers, especially the sick, have to live.

I am not going back to my district and say that I denied these sick soldiers a proper barracks in which to live during their sickness. I hope the members of the Committee will give those soldiers these facilities because they are entitled to them.

Mr. STARNES. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri [Mr. ANDERSON].

Mr. Chairman, we appreciate the interest of the gentleman from Missouri [Mr. ANDERSON] in his district. We know that housing for the Army is needed very badly at that post as well as at many other posts.

Mr. ANDERSON of Missouri. Will the gentleman yield?

Mr. STARNES. I yield to the gentleman from Missouri.

Mr. ANDERSON of Missouri. The gentleman is in the middle of a campaign for reelection. Does he wish to tell the soldiers down in his district that he wants them improperly housed?

Mr. STARNES. Mr. Chairman, I have no soldiers in my district. I hope the Committee will defeat the amendment offered by the gentleman from Missouri [Mr. ANDERSON].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. ANDERSON of Missouri) there were—ayes 25, noes 36.

Mr. ANDERSON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. CULKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CULKIN: On page 27, line 18, strike out the period and insert "Madison Barracks, N. Y., \$217,000."

Mr. CULKIN. Mr. Chairman, about a year and a half ago the country was shocked by the declaration of General Hagood that the condition of housing in the United States Army was worse than the housing conditions found in the slums of our great cities. No one disputed that fact, but everybody charged with the responsibility has completely ignored it. I do not know whose fault it is. I do not know whether it is the fault of the House Committee on Military Affairs, of this committee, or of the Executive, but I know that this deplorable condition exists in practically every military post in the country.

General Hagood described the conditions in one post, similar to Madison Barracks, where 38 people of mixed sexes were using one unsanitary shower. It now appears from the record that this condition is duplicated in every army post in America. It is elementary that a real soldier, a soldier with morale, must have a decent environment. If he does not have this, there is something lacking in his make-up. There seems to be no spokesman for the American enlisted man in high places.

We have spent some \$6,000,000,000 for various public enterprises, some of them of very doubtful value, and you could put in your eye the aid that has been spent for the housing of the American soldier.

Here is an appropriation bill of \$490,000,000 with an appropriation of approximately \$8,000,000 for housing. Every one of the projects is below the Mason and Dixon's line. I do not charge there is sectionalism back of this. I merely mention it.

I urge the officers of the War Department, who are responsible for this vast budget, to wake up and do something to correct the situation. I have visited barracks in Europe,

South and Central America, and never have I seen anything so utterly ramshackle and disgraceful as the housing of the American enlisted man.

The Secretary of War and the high command should get the facts over to the Bureau of the Budget and the President, and not be satisfied with the crumbs that fall from the table. I urge the distinguished chairman of the Military Affairs Committee [Mr. MAY] to take an active hand in this. Lip service to this condition does no good. Somebody has got to take a hand in the name of decency and bring the matter of military housing to the Executive and the Bureau of the Budget. My judgment is that the responsibility rests on the Secretary of War and the officers of the General Staff who are in charge of this condition.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Minnesota.

Mr. KVALE. The gentleman has brought up a point that in my belief is of vital importance. I am a member of the Committee on Military Affairs, and have been a member of it a considerable number of years. I believe the gentleman will not lay the fault at the door of that committee, because time and again it has advocated and stressed the need for new housing.

Mr. CULKIN. I understand, but the gentleman's committee has pussyfooted on it. You have seen some six or seven billion dollars come out of the Treasury for miscellaneous and sometimes doubtful purposes, and have left these wards of the Government, who are helpless, to live under these slum conditions. I say the fault is in the gentleman's committee, in the Committee on Appropriations, and in the General Staff or whoever has to do with this condition. You will not get good soldiers, you will not get decent soldiers, and you will not get soldiers with morale unless you give them a decent environment that conserves their self-respect. [Applause.]

[Here the gavel fell.]

Mr. ENGEL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe there is a committee or a subcommittee of the House that worked more diligently and more conscientiously than the War Department Subcommittee of the Committee on Appropriations worked on this bill. I believe the record is complete.

This House can follow one of two policies: It can either follow the recommendation of the Budget and the War Department and let the War Department say what it would rather have first, limiting the appropriations to the amount recommended by the Budget, or it can throw the door wide open and let everybody put in his particular piece of pork, whether it be ham or bacon. There is no question but what there are a great many worthy projects as far as Army housing is concerned. The project of the gentleman from New York is undoubtedly one. I believe the one sought by the gentleman from Texas [Mr. MAVERICK] is another. I certainly felt that the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON], concerning Fort Sill, which was recommended by the Budget, and concerning which Colonel Chaffee testified the men were living in shacks, is another worthy project. However, I personally feel we ought to limit ourselves to the Budget and stand by this subcommittee. If the amendment of the gentleman from New York [Mr. CULKIN] is adopted, then the amendment of the gentleman from Texas [Mr. MAVERICK] and of the gentleman from Oklahoma [Mr. JOHNSON] should have been adopted.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New York.

Mr. CULKIN. The gentleman says this is the proper procedure, but under this procedure you are not getting any housing and the conditions are as I have described them. What does the gentleman recommend so these conditions may be remedied?

Mr. ENGEL. I certainly do not recommend allowing in 1 year the total amount authorized. If you do that on all authorizations you will have a \$15,000,000,000 Budget instead of an \$8,000,000,000 Budget.

LXXXIII—269

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Texas.

Mr. MAVERICK. I do not object to the gentleman's viewpoint, but I notice the Budget cut out certain coast defenses and various things like that. What does the Budget know about coast defenses or about military matters? The Budget made that cut in opposition to the recommendation of the War Department.

Mr. ENGEL. No; I believe what happened was that the Budget Bureau upon the recommendation of the President limited the amount of the appropriations for the War Department, and then the Budget let the War Department recommend what it wanted as preferential items. As I understand, these are the facts.

Mr. MAVERICK. I call the attention of the gentleman to the fact that is not correct. General Craig did not testify to that effect. May I ask the gentleman, is not the Budget wrong once in a while?

Mr. ENGEL. The Budget may be wrong, but the Budget Department is not wrong in trying to hold down the appropriations.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. Yes; I yield.

Mr. KVALE. I want to ask the gentleman in all fairness whether the Budget has extended its studies to the point where it has made personal inspection of the construction in the various camps and has seen the vermin-infested and disease-infested, crumbling, tottering, ramshackle buildings?

Mr. ENGEL. I do not believe, Mr. Chairman—

Mr. KVALE. I do not believe—I know.

Mr. ENGEL. Let me answer the gentleman. I do not believe the system of inspection by Army officers is so rotten that they have vermin or lice or what not in their buildings. From my experience of 2 years and a half in the Army, I know Army inspections are very thorough. Buildings may be dilapidated or antiquated, but they are clean.

Mr. KVALE. Has the gentleman made any inspection of some of these Army establishments recently?

Mr. ENGEL. The committee followed the recommendation of the Army officials and of the Budget Department as to which items should come first.

[Here the gavel fell.]

Mr. MURDOCK of Arizona. Mr. Chairman, I am not asking in this case for pork, for I know some Army quarters in the State of Arizona that are not fit for hogs to live in. I know exactly what the gentleman from New York has said to be true with regard at least to one Army post in the far Southwest, and I am willing to take his statement as being generally true all over the country.

Just a few days ago we voted for a tremendously big naval authorization. Are we not overemphasizing one arm of national defense and neglecting another arm of it? I do know conditions down in my corner of the country, and I want to call your attention to the fact that Fort Huachuca is the only military outpost between El Paso and the Pacific Ocean, and we need better housing facilities there. I saw this with my own eyes. I saw human beings living in houses I would not put a horse or a hog in, and I do know that we ought to provide an adequate water supply there. At Fort Huachuca the need of water supply is more imperative than the need of barracks.

I am not offering any amendment here because my suggestion is not in the Budget. I am merely doing this to call attention in this public way to the need, and I am willing to take what the gentleman says about New York and what my friend from Missouri says about Jefferson Barracks as being very likely true. Let us be consistent and not neglect one arm of national defense while we are doing great things for the other.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CULKIN].

The amendment was rejected.

The Clerk read down to and including line 3 on page 28.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. LUTHER A. JOHNSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 9995) making appropriations for the Military Establishment for the fiscal year ending June 30, 1939, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record, and to include therein a letter from Cluett, Peabody & Co. and my reply thereto.

The SPEAKER. Is there objection?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record, and to place therein a telegram which I sent to the President and to the Secretary of State regarding the diplomatic invasion in Brazil by Hitler.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a statement recently made by the national commander of the Army and Navy Union, of importance to veterans.

The SPEAKER. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my remarks made today in the Record and also to extend my remarks in the Record by printing therein a radio address delivered by myself.

The SPEAKER. Without objection, both requests will be granted.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks made earlier today, and to include a very short article appearing in the New York Times this morning.

The SPEAKER. Is there objection?

There was no objection.

GROUP HEALTH ASSOCIATION

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS. Mr. Speaker, today the gentleman from California, my colleague [Mr. SCOTT], introduced a resolution for an investigation of the controversy which has been in progress concerning the Group Health Associations of Washington. I rise at this time to say that I very much hope that the resolution will receive favorable consideration of the House. It seems to me that there has been developed here a method of possible solution of a great many serious problems respecting the health of America and that it is something that ought to receive favorable consideration.

EXTENSION OF REMARKS

Mr. JOHNSON of Minnesota. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to incorporate a copy of the 1938 platform of the Farmer-Labor Association of Minnesota.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOLMES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include an editorial on the reorganization bill published in my home paper.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANZETTA, for today, to attend a funeral.

To Mr. BOEHNE, for 1 week, on account of illness in his family.

To Mr. BUCK, for today, on account of official business.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 277. Joint resolution creating a special joint congressional committee to make an investigation of the Tennessee Valley Authority; to the Committee on Rules.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1945. An act to authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Federal Indian irrigation projects wholly or partly Indian, and to lease the lands in such reserves for agricultural, grazing, and other purposes.

ADJOURNMENT

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 29, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs, Room 1310, New House Office Building, at 10:30 a. m., Tuesday, March 29, 1938, for the consideration of H. R. 9098, to promote air commerce by providing for the enlargement of Washington airport.

COMMITTEE ON PATENTS

On Tuesday and Wednesday, March 29 and 30, 1938, at 10 a. m., the Committee on Patents will continue hearings that began Monday, March 21, 1938, on the following measures: H. R. 9259, to provide for compulsory licensing of patents; H. R. 9815, to provide for the granting of licenses under patents brought within a single control by competitors to dominate an industry; H. R. 1666, to provide counsel for the defense and prosecution of rights of indigent patentees.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, March 29, 1938. Business to be considered: Continuation of hearings on H. R. 9738—civil aeronautics.

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 5, 1938. Business to be considered: Continuation of hearing on S. 1261—through routes.

There will be a meeting of Mr. BULWINKLE's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 5, 1938. Business to be considered: Hearings on H. R. 9073—to extend services of the Cape Fear River.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 12, 1938. Business to be considered: Hearing on H. R. 9047—control of venereal diseases, and other kindred bills.

COMMITTEE ON THE DISTRICT OF COLUMBIA

The Subcommittee on Judiciary of the Committee on the District of Columbia will meet Tuesday, March 29, 1938, at 10:30 a. m., in room 345, House Office Building, to consider the following bills: H. R. 9684—racing board; H. R. 9759—penalty for assault with dangerous weapon.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a hearing before Subcommittee No. 1 of the Committee on the Post Office and Post Roads at 10 a. m. Wednesday, April 6, 1938, on bills in behalf of custodial

employees in the Postal Service. Room 213, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, House Office Building, at 10:30 a. m. on Wednesday, March 30, 1938, for the public consideration of H. R. 8631—for the relief of Vincenzo Ferrero, and for the further consideration of unfinished business of the committee.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold hearings at 10 a. m. in room 219, House Office Building, on the following bills on the dates indicated:

Tuesday, March 29, 1938:

H. R. 9765-S. 3595. To authorize the purchase and distribution of products of the fishing industry.

Wednesday, March 30, 1938:

H. R. 8840. To amend section 6 of the act approved May 27, 1936 (49 Stat. L. 1380).

S. 1273. To adopt regulations for preventing collisions at sea.

Tuesday, April 5, 1938:

S. 2580. To amend existing laws so as to promote safety at sea by requiring the proper design, construction, maintenance, inspection, and operation of ships; to give effect to the Convention for Promoting Safety of Life at Sea, 1929; and for other purposes.

Tuesday, April 12, 1938:

H. R. 6797. To provide for the establishment, operation, and maintenance of one or more fish-cultural stations in each of the States of Oregon, Washington, and Idaho.

H. R. 8956. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

S. 2307. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

Thursday, April 14, 1938:

H. R. 8533. To amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, April 19, 1938:

H. R. 5629. To exempt motorboats less than 21 feet in length not carrying passengers for hire from the act of June 9, 1910, regulating the equipment of motorboats.

H. R. 7089. To require examinations for issuance of motorboat operators' license.

H. R. 8839. To amend laws for preventing collisions of vessels, to regulate equipment of motorboats on the navigable waters of the United States, to regulate inspection and manning of certain motorboats which are not used exclusively for pleasure and those which are not engaged exclusively in the fisheries on inland waters of the United States, and for other purposes.

COMMITTEE ON NAVAL AFFAIRS

Full open committee, Naval Affairs, meets at 10:30 a. m. Monday, April 4, 1938; continuation of consideration of H. R. 9315—to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1188. A letter from The National Archives, transmitting lists of papers consisting of 235 items, among the archives and records of the Veterans' Administration, which the administration has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1189. A letter from the Acting Secretary of War, transmitting a report dated March 18, 1938, from the Chief of Engineers, United States Army, on reexamination of New London Harbor, Conn.; to the Committee on Rivers and Harbors.

1190. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 17, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Schoharie Creek and tributaries, Greene and Schoharie Counties, N. Y., authorized by the Flood Control Act approved June 22, 1936, and by act of Congress approved March 3, 1936; to the Committee on Flood Control.

1191. A letter from the Acting Secretary of War, transmitting a report dated March 18, 1938, from the Chief of Engineers, United States Army, on reexamination of a waterway from the headwaters of Oklawaha River, Fla., and Lake Griffin to Lake Tohopekaliga, through Lake Apopka and other lakes connecting the Oklawaha River system with the Kissimmee River system; to the Committee on Rivers and Harbors.

1192. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 17, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Pithlachascotee River, Fla., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1193. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 17, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Warren River and Barrington Harbor, R. I., authorized by the River and Harbor Act, approved August 26, 1937; to the Committee on Rivers and Harbors.

1194. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 18, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Caloosahatchee River and Lake Okeechobee drainage areas, Florida, with a view to constructing additional levees between Kissimmee River and Fisheating Creek, authorized by the River and Harbor Act, approved August 26, 1937; to the Committee on Rivers and Harbors.

1195. A letter from the Acting Secretary of War, transmitting a report dated March 18, 1938, from the Chief of Engineers, United States Army, on reexamination of the Columbia River and tributaries in the vicinity of Warren, Oreg.; to the Committee on Flood Control.

1196. A letter from the Acting Secretary of War, transmitting a report dated March 18, 1938, from the Chief of Engineers, United States Army, on reexamination of Nanticoke River, Del. and Md.; to the Committee on Rivers and Harbors.

1197. A letter from the Acting Secretary of War, transmitting a report dated March 21, 1938, from the Chief of Engineers, United States Army, on preliminary examination of St. Patricks Creek, St. Marys County, Md.; to the Committee on Rivers and Harbors.

1198. A letter from the Acting Secretary of War, transmitting a report dated March 18, 1938, from the Chief of Engineers, United States Army, on reexamination of Norfolk Harbor, Va.; to the Committee on Rivers and Harbors.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10005) for the relief of Clarence D. Holland, United States Navy, retired, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER (by request): A bill (H. R. 10047) to provide for the appointment of a commission to study the

Constitution of the United States and report to the Congress upon the desirability or undesirability of amending the same; to the Committee on Rules.

By Mr. BOYER: A bill (H. R. 10048) to exempt publicly classified-owned and all public-owned interstate highway bridges from local taxation; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON: A bill (H. R. 10049) to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes" approved June 22, 1936; to the Committee on Flood Control.

By Mr. IGLESIAS: A bill (H. R. 10050) to authorize the Legislature of Puerto Rico to create public corporate authorities to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds therefor, to authorize the legislature to provide for financial assistance to such authorities by the Government of Puerto Rico and its municipalities, and for other purposes; to the Committee on Insular Affairs.

By Mr. HENDRICKS: A bill (H. R. 10051) to provide for travel allowance to railway mail clerks assigned to road duty; to the Committee on the Post Office and Post Roads.

By Mr. WALTER: A bill (H. R. 10052) to regulate the exercise of the powers of senior circuit and district judges; to the Committee on the Judiciary.

By Mr. CLUETT: A bill (H. R. 10053) to authorize a preliminary examination and survey of Kayaderosseras Creek, Fish Creek, and their tributaries, and Saratoga Lake, in the State of New York, for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. MEAD: A bill (H. R. 10054) to amend section 4438 of the Revised Statutes of the United States in order to maintain discipline aboard ships; to the Committee on Merchant Marine and Fisheries.

By Mr. STEAGALL: A bill (H. R. 10055) to amend section 5d of the Reconstruction Finance Corporation Act, as amended, to authorize loans to public agencies, to provide credit facilities for business enterprises, and for other purposes; to the Committee on Banking and Currency.

By Mr. BIERMANN: A bill (H. R. 10056) to extend for 2 additional years the 3½-percent interest rate on certain Federal land-bank loans, and to provide for a 4-percent interest rate on Land Bank Commissioner's loans for a period of 2 years; to the Committee on Agriculture.

By Mr. HENDRICKS: A bill (H. R. 10057) to exempt motorboats of less than 21 feet in length engaged exclusively in commercial fishing in the inland waters of the United States from carrying certain equipment prescribed by the act of June 9, 1910, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PETERSON of Florida (by request): A bill (H. R. 10058) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal; to the Committee on Merchant Marine and Fisheries.

By Mr. RAMSAY: A bill (H. R. 10059) to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT: Resolution (H. Res. 452) authorizing an investigation of the controversy between the organization known as Group Health Association and the Medical Society of the District of Columbia and the American Medical Association; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CROWE: A bill (H. R. 10060) to change date of discharge for Marshall E. Hord; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 10061) for the relief of Benson Allen; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 10062) granting an increase of pension to Catharine Gillaspie; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 10063) granting a pension to William James Stanley; to the Committee on Pensions.

By Mr. TOBEY: A bill (H. R. 10064) granting a pension to Sigrid M. Murphy; to the Committee on Pensions.

By Mr. WOODRUM: A bill (H. R. 10065) for the relief of Bertha E. Richardson; to the Committee on Claims.

SENATE

TUESDAY, MARCH 29, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 28, 1938, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the bill (S. 711) to amend an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 9227) to amend an act entitled "An act to authorize boxing in the District of Columbia, and for other purposes," in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. LEWIS. Mr. President, I am impelled to suggest the absence of a quorum, and ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	Johnson, Calif.	Overton
Andrews	Davis	Johnson, Colo.	Pittman
Ashurst	Dieterich	King	Pope
Austin	Donahey	La Follette	Radcliffe
Bailey	Duffy	Lee	Reames
Bankhead	Ellender	Lewis	Reynolds
Barkley	Frazier	Lodge	Russell
Blibo	George	Logan	Schwartz
Bone	Gerry	Loneragan	Schwellenbach
Borah	Gibson	Lundeen	Sheppard
Bridges	Gillette	McAdoo	Shipstead
Brown, Mich.	Glass	McGill	Smathers
Brown, N. H.	Green	McKellar	Smith
Bulkley	Guffey	McNary	Thomas, Okla.
Bulow	Hale	Maloney	Thomas, Utah
Burke	Harrison	Miller	Townsend
Byrd	Hatch	Milton	Truman
Byrnes	Hayden	Minton	Vandenberg
Capper	Herring	Murray	Wagner
Caraway	Hill	Neely	Walsh
Chavez	Hitchcock	Norris	Wheeler
Clark	Holt	Nye	
Connally	Hughes	O'Mahoney	

Mr. LEWIS. I announce that the Senator from Tennessee [Mr. BERRY] is detained from the Senate because of illness in his family.

The Senator from Nevada [Mr. McCARRAN] is detained in his State on official business.

The Senator from Florida [Mr. PEPPER] and the Senator from Indiana [Mr. VAN NUYS] are detained on important public business.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

GREEN MOUNTAIN NATIONAL PARK, VT.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Green Mountain National Park in the State of Vermont, and